

OFFICE OF ZONING AND ADMINISTRATIVE HEARINGS
FOR MONTGOMERY COUNTY

-----X
:
APPLICATION OF BRANDYWINE :
SENIOR LIVING AT POTOMAC, LLC : Case No. CU 16-01
:
:
-----X

A hearing in the above-entitled matter was held on
November 6, 2015, commencing at 9:37 a.m., at the Stella B.
Werner Council Office Building, 100 Maryland Avenue, Second,
Floor, Rita Davidson Memorial Hearing Room, Rockville,
Maryland 20850 before:

Martin L. Grossman

Hearing Examiner

Page 2					Page 4				
A P P E A R A N C E S					Exhibit No. (Continued) Marked/Received				
On Behalf of the Petitioner:					90A	11 x 17 Version of Aerial			
Erin E. Girard, Esq.						Photo of Existing Site	125		
Stephen Z. Kaufman, Esq.					91	Planning Board Resolution			
Linowes and Blocher LLP						Approving Preliminary Forest			
7200 Wisconsin Avenue, Suite 800						Conservation Plan	134		
Bethesda, Maryland 20814					92	Turnaround Detail Exhibit	141		
On Behalf of the Opposition:					92A	11 x 17 Version of Turnaround			
William J. Chen, Jr., Esq.						Detail Exhibit	141		
Chen & McCabe, LLP					93	BOA Opinion Granting Special			
200A Monroe Street, Suite 300						Exception in S-1289, Manor			
Rockville, Maryland 20850						Care, 11/25/86	166		
					94	Google Untouched Aerial View	284		
					94A	11 x 17 Version of 94 A	284		
Page 3					Page 5				
C O N T E N T S					P R O C E E D I N G S				
Witnesses:	Direct	Cross	Redirect	Recross	1				
Brenda J. Bacon					2	MR. GROSSMAN: This is a public hearing in the			
By Ms. Girard:		41			3	matter of Brandywine Senior Living at Potomac, LLC. It's			
By Mr. Uhre:			57		4	Conditional Use 16-01. They're petitioning for a			
By Mr. Chen:			73		5	conditional use under Zoning Ordinance Section			
Joshua Sloan					6	59.3.3.2.E.2.C. Sorry, that's the way they, they label it.			
By Ms. Girard:	117			216	7	To establish a residential care facility consisting of 140			
By Mr. Chen:		171		221	8	beds for seniors needing assisted living and memory care.			
By Mr. Uhre:			188		9	The subject site constitutes a 4.02 acre property identified			
Hal Bolton					10	as Parcel A of the Potomac Tennis Club located at 10800			
By Ms. Girard:	225			283	11	Potomac Tennis Lane, approximately 600 feet north of the			
By Mr. Chen:		251		285	12	intersection with Maryland 189, Falls Road in Potomac,			
By Mr. Uhre:			279		13	Maryland. It is in the RE-2 Zone.			
E X H I B I T S					14	This is a hearing conducted by the Office of			
Exhibit No.					15	Zoning and Administrative Hearings, and I, as the Hearing			
1-87					16	Examiner, my name is Martin Grossman, I will render a report			
88					17	and decision in the case.			
89A					18	Will the parties identify themselves, please, for			
89B					19	the record?			
89C					20	MR. KAUFMAN: Good morning, Mr. Examiner. I'm			
89D					21	Steve Kaufman with the law firm of Linowes and Blocher.			
90					22	MR. GROSSMAN: Mr. Kaufman.			
					23	MR. KAUFMAN: And with me, a person you know, is			
					24	my law partner, Erin Girard. Erin will present the case to			
					25	you today on behalf of our client, Brandywine.			

<p style="text-align: right;">Page 6</p> <p>1 MR. GROSSMAN: All right. Sir.</p> <p>2 MR. CHEN: Good morning, Mr. Examiner. My name is</p> <p>3 Bill Chen. I'm legal counsel for Dr. and Mrs. Ronald Paul,</p> <p>4 adjacent property owners.</p> <p>5 MR. GROSSMAN: All right. Sir, you are?</p> <p>6 MR. CHEN: This gentleman is one of our witnesses.</p> <p>7 MR. GROSSMAN: I see.</p> <p>8 MR. CHEN: And this is Dr. and Mrs. Paul.</p> <p>9 MR. GROSSMAN: All right. Is Mr. Uhre, here?</p> <p>10 Sir, will you step forward, please, and grab a chair at the</p> <p>11 end. Mr. Uhre, will you state your full name and address</p> <p>12 for the record?</p> <p>13 MR. UHRE: Yes. My name is Curtis Uhre. I live</p> <p>14 at, I live at 8513 Brickyard Road in Potomac, Maryland.</p> <p>15 MR. GROSSMAN: All right. And you are here today</p> <p>16 on behalf of?</p> <p>17 MR. UHRE: I'm here today on behalf of myself,</p> <p>18 individually, and later intend to give narrative testimony</p> <p>19 on behalf of the Brickyard Coalition, --</p> <p>20 MR. GROSSMAN: Okay.</p> <p>21 MR. UHRE: -- Inc., if that's permitted by the</p> <p>22 Examiner.</p> <p>23 MR. GROSSMAN: Yes. And you are the president of</p> <p>24 the Brickyard Coalition?</p> <p>25 MR. UHRE: Now the chairman.</p>	<p style="text-align: right;">Page 8</p> <p>1 afternoon and would like to give brief testimony.</p> <p>2 MR. GROSSMAN: I'm not excluding anybody. If they</p> <p>3 are here while the hearing is going on, --</p> <p>4 MR. UHRE: Okay.</p> <p>5 MR. GROSSMAN: I'm sure we'll be able to fit them</p> <p>6 in, assuming we, I'm not even sure we'll finish today, but,</p> <p>7 but we certainly accommodate members of the community. In</p> <p>8 fact, often with the consent of the applicant who usually</p> <p>9 goes first in these matters, if there are citizens who are</p> <p>10 here who wish to offer testimony, have a tight schedule and</p> <p>11 want to do it out of order, we usually accommodate that.</p> <p>12 Would that, Ms. Girard, would that be --</p> <p>13 MS. GIRARD: That's fine.</p> <p>14 MR. KAUFMAN: That's fine.</p> <p>15 MR. GROSSMAN: All right. So any of the citizens</p> <p>16 here who wish to go first? No. Okay. All right.</p> <p>17 Let me deal with some preliminary matters. Let me</p> <p>18 explain a little bit about the nature of these proceedings.</p> <p>19 It's a combination of formality and informality. It's</p> <p>20 formal in the sense that we operate pretty much the way a</p> <p>21 courtroom operates. Each witness is sworn in and is subject</p> <p>22 to cross-examination. We have Rules of Evidence. We have a</p> <p>23 court reporter who takes everything down and a transcript of</p> <p>24 these proceedings will be available on our website. So we,</p> <p>25 we operate pretty much that way. We're just a little bit</p>
<p style="text-align: right;">Page 7</p> <p>1 MR. GROSSMAN: Chairman. Okay. All right.</p> <p>2 And I see that we also have a lot of people in the</p> <p>3 audience. I'd like to know if there are others here who</p> <p>4 wish to give testimony? I see a hand in the back. Madam.</p> <p>5 MS. LEE: Good morning. My name is Suzanne Lee.</p> <p>6 I'm the current president of the West Montgomery County</p> <p>7 Citizens Association and I'll be presenting their testimony.</p> <p>8 MR. GROSSMAN: All right. West Montgomery County</p> <p>9 --</p> <p>10 MS. LEE: Citizens Association.</p> <p>11 MR. GROSSMAN: Citizens Association. And how do</p> <p>12 you spell your last name, Ms. Lee?</p> <p>13 MS. LEE: L-E-E.</p> <p>14 MR. GROSSMAN: Okay. Are you for, opposed or just</p> <p>15 commenting?</p> <p>16 MS. LEE: We're opposed.</p> <p>17 MR. GROSSMAN: Okay. Anybody else in the audience</p> <p>18 who wishes to speak today? Seeing no hands --</p> <p>19 MR. UHRE: Mr. Examiner.</p> <p>20 MR. GROSSMAN: Yes, sir.</p> <p>21 MR. UHRE: There, there are two other people. I</p> <p>22 think one through Ms. Conway or Mrs. Conway wrote to your</p> <p>23 staff saying that she had an incident with a child and may</p> <p>24 be able to testify later today. And a Mr. Duncan also can't</p> <p>25 be here this morning, but may, but will likely be here this</p>	<p style="text-align: right;">Page 9</p> <p>1 more relaxed than a courtroom.</p> <p>2 This is a case, an application for a conditional</p> <p>3 use. For many years under the old Zoning Ordinance, it was</p> <p>4 called a special exception, which is a kind of misnomer</p> <p>5 because it's really not a special exception which implies a</p> <p>6 variance. A conditional use is a use that's permitted under</p> <p>7 the Code if certain conditions are met and they are</p> <p>8 specified in the Code. And I'm not here to decide whether</p> <p>9 or not there is some better use that could be put to this,</p> <p>10 this property than is being proposed here. Whether it be</p> <p>11 tennis courts or houses or anything like that. I'm here to</p> <p>12 evaluate whether or not the proposed use here meets the</p> <p>13 requirements of the Zoning Ordinance. And some of those</p> <p>14 requirements are general and they apply to all special, all</p> <p>15 conditional uses and others are specific to this type of</p> <p>16 conditional use.</p> <p>17 All right. Let me get to some more specific</p> <p>18 things. Ms. Girard, as you, as we had a little email</p> <p>19 exchange which I sent to the other parties, I would like you</p> <p>20 to have a witness who will identify your north directional</p> <p>21 on the last exhibit that you, you filed, the rendered aerial</p> <p>22 photo. So I don't quite understand how that is supposed to</p> <p>23 work.</p> <p>24 Secondly, if there are any new plans, comments or</p> <p>25 whatever that are introduced today, electronic copies must</p>

<p style="text-align: right;">Page 10</p> <p>1 be supplied in Word or a text searchable PDF for any text 2 documents and in PDF for any other kinds of images although 3 you could use for photos you could use JPG. 4 The Technical Staff Report, that is, the report of 5 the Technical Staff of the Maryland National Capital Park 6 and Planning Commission is automatically part of this record 7 as is the Planning Board's letter to me. The Minutes and 8 the testimony before the Planning Board are not 9 automatically part of our record. 10 Okay. And my last matter that I wanted to raise, 11 I would like, Ms. Girard, for you to address the various 12 points that the, your witnesses address, the various points 13 raised by the opposition. Not only the Brickyard Coalition, 14 but by the numerous individuals who filed letters in this 15 case. 16 MS. GIRARD: Um-hmmm. 17 MR. GROSSMAN: Are there any other preliminary 18 matters? First, Ms. Girard. 19 MS. GIRARD: Just, I wanted to submit the 20 Affidavit of Posting. 21 MR. GROSSMAN: Okay. Thank you. An Affidavit of 22 Posting is an affidavit that the applicant submits to 23 demonstrate that it has complied with the requirement of 24 having a sign posted in the appropriate location noting the 25 pendency of this application. This will be Exhibit 88.</p>	<p style="text-align: right;">Page 12</p> <p>1 is a logical order, but -- 2 MR. GROSSMAN: That'll be refreshing for a hearing 3 room. 4 MR. CHEN: It's refreshing for me. But seriously, 5 these preliminary matters, Mr. Grossman, will be in the 6 nature of either a summary disposition on, on at least one 7 issue, but one also would be, I think, analogous to a motion 8 in limine that are more common in a judicial proceeding. 9 But I think they, it would be applicable in this proceeding. 10 Let me get into it and I, I'll explain as I go along on 11 that. 12 MR. GROSSMAN: All right. 13 MR. CHEN: A while back you denied a request by 14 Brickyard, I think it was Brickyard or Mr. Uhre, 15 individually. I'm not sure whether it was both, but -- 16 MR. GROSSMAN: I think individually. 17 MR. CHEN: -- it, it was on the occasion of the 18 filing of what I believe on September 15th was Exhibit 54. 19 I, I think I'm right on that. It was a series of exhibits 20 that were filed by the applicant. 21 MS. GIRARD: 39. 22 MR. CHEN: I think it was -- 23 MS. GIRARD: 39. 24 MR. CHEN: Maybe it's 39. Yeah, I think it was 25 that filing that precipitated Mr. Uhre's opposition and</p>
<p style="text-align: right;">Page 11</p> <p>1 Affidavit of Posting. 2 (Hearing Exhibit No. 88 was 3 marked for identification.) 4 Anything else? 5 MS. GIRARD: No. 6 MR. GROSSMAN: All right. Mr. Uhre, do you have 7 any preliminary matters you wish to raise? 8 MR. UHRE: Was, was there a new letter of 9 authorization filed? I thought there was a request for a 10 new letter of authorization. 11 MR. GROSSMAN: Yes. There was a, an affidavit 12 filed by Helen -- 13 MS. GIRARD: Marshall. 14 MR. GROSSMAN: Marshall. Indicating that she is 15 the sole owner of the, or that she is the, the sole 16 stockholder, I guess, in the, the entity that owns the 17 property and she authorizes these proceedings. 18 MR. UHRE: Okay. Thank you. 19 MR. GROSSMAN: And that's Exhibit 83, I think. 20 MS. GIRARD: Yes. 83. Yes. 21 MR. GROSSMAN: Yes. 83A is the affidavit itself. 22 All right. 23 Mr. Chen, any preliminary matters? 24 MR. CHEN: Yes. Mr. Examiner, I've got several 25 actually. I'm going to handle these in a, in a what I hope</p>	<p style="text-align: right;">Page 13</p> <p>1 request for a postponement in light of it. That date, 2 frankly, is significant for what I'm about to say. At that 3 time, I, about then I entered my appearance and my cover 4 letter said we joined with Mr. Uhre's position on that. 5 MR. GROSSMAN: Yes. 6 MR. CHEN: I bring to your attention that that 7 filing was on September 18th. Now, you have had a filing 8 recently. I think it was on the 29th of October of a, an 9 exhibit that is, I'm just trying to pull something out here. 10 It's a site, it's, it's an extended site section. Okay. 11 Now, there was -- 12 MR. GROSSMAN: Is that the one showing the 13 distance to the Paul's residence? Is that what you're 14 talking about? 15 MR. CHEN: Well, yeah. It, it has some notations 16 on it. I don't know if I would agree with the word 17 distance, but it, it purports to depict a section with the 18 distances. I don't know whether you've got it as an 19 exhibit, but I sent a letter to Ms. Girard about that 20 document because it was filed pertaining to my clients and 21 no one else. No other parties. No other properties. It 22 purports to show a, a depiction of some relationship, 23 accurate or not, but it's directed to my clients. I sent a 24 letter to Ms. Girard and I want to put this in the record. 25 What's your next number?</p>

<p style="text-align: right;">Page 14</p> <p>1 MR. GROSSMAN: The next number is 89, but I may 2 already have it. If you sent a copy to us, it would be in 3 our file. So. 4 MR. CHEN: Okay. This would be, I haven't looked 5 at my list, but it was a letter of October 29. I did copy 6 your office, OZAH, with it. 7 MR. GROSSMAN: Yes. Letter, letter, it's Exhibit 8 77. 9 MR. CHEN: Thank. 10 MR. GROSSMAN: Letter from Mr. Chen to Ms. Girard 11 requesting clarification on the horizontal and vertical 12 scale of the extended site section -- 13 MR. CHEN: Got it. 14 MR. GROSSMAN: Attachment A, and elevation, 15 Attachment B, sent with this letter of 10/21/15 and the date 16 submitted to the Planning Department. And whether the 17 graphic scale contained in the new elevation submitted on 18 10/28/15 to Mr. Grossman indicates both horizontal and 19 vertical measurements. 20 MR. CHEN: Thank you. 21 MR. GROSSMAN: That's the letter? 22 MR. CHEN: Yes. Thank you. 23 MR. GROSSMAN: My staff is very good about taking 24 these things down. 25 MR. CHEN: I received on October 29 a response to</p>	<p style="text-align: right;">Page 16</p> <p>1 MR. CHEN: Yes. It was Exhibit 79 I. 2 MR. GROSSMAN: Okay. Yes. 3 MR. CHEN: Now, I've got to get ready for a 4 hearing today. I get this document a week ago. I'm trying 5 to deal with this document. Now I, you made a comment 6 earlier today about whether we're going to conclude today, 7 but I'm raising this issue preliminarily that, and I'm 8 telling the Examiner for the record that it is, and I've 9 tried, by the way, to contact consultants on behalf of my 10 clients to deal with this document. Meaning by that, when I 11 say deal with, to interpret it and, frankly, to see what 12 service they can provide my clients in responding to this 13 document and where I'm going with this and it also goes with 14 the other, a couple other matters that I can't deal with 15 this today and at the very least, because I know you're not 16 going to dismiss the application based on this, I'm going to 17 need some time to deal with this. I don't think it's fair 18 to give it in this file a week ago. And I heard it just 19 Thursday before that. Because this deals specifically with 20 my client and I need an opportunity to respond to it. So 21 that's, that's number one. 22 MR. GROSSMAN: Well, what in, what kind of 23 response are you talking about? It is, just so everybody 24 knows what we're talking about. 25 MR. CHEN: Yeah.</p>
<p style="text-align: right;">Page 15</p> <p>1 my letter and what is significant about it is the first time 2 I saw anything like this was at the Planning Board hearing 3 about a week ago. And I was flummoxed because I had been 4 through your record and thought, you know, I'd gotten copies 5 of a lot of the exhibits and I hadn't seen it. And I think 6 a transcript of the proceeding before the Planning Board 7 would reflect my confusion. As a, and it was cleared up. 8 But that precipitated my letter because it hadn't been in 9 your file and it was being considered by not only the staff 10 in their report and analysis, but the Planning Board and my 11 experience if it's before them, it's got to be before you. 12 And so they're going to be looking at it. 13 Now, in response to my letter, Ms. Girard said 14 that the profile was filed with the Staff on September 9th. 15 Now that's before this major filing at Exhibit, I guess, 16 it's 39. And it wasn't included in that. And so, I get it 17 on the 29th. And by the way, just as a minor footnote, the 18 document that was before the Planning Board and the Staff is 19 not quite exactly the same as the document that you've got 20 which is Exhibit, oh, dear, I apologize Madam Reporter, but 21 I've got to get over here to my case. 22 MR. GROSSMAN: This is the site section -- 23 MR. CHEN: Yeah. 24 MR. GROSSMAN: -- in the document that was 25 supposed to be filed?</p>	<p style="text-align: right;">Page 17</p> <p>1 MR. GROSSMAN: This is extended site section -- 2 MR. CHEN: Yeah. 3 MR. GROSSMAN: -- showing a distance from the 4 Pauls' residence to the property line and then to the 5 building. 6 MR. CHEN: Yes. 7 MR. GROSSMAN: And you're talking about 8 challenging the distance that's measured or, or what? 9 MR. CHEN: I'm, I'm going to be challenging, or 10 no, I think I'm going to be able to successfully challenge 11 the accuracy of what that document purports to depict. 12 MR. GROSSMAN: Okay. 13 MR. CHEN: Okay. And I'm, I'm trying to find 14 services for that. And what I'm saying to you, this is 15 prejudicial to my client unless my client has an opportunity 16 to respond to it. And if we're not going to finish today, 17 we're probably fine. But if you're going to close the 18 record on this day, I am noting objection to going forward 19 without affording my client a reasonable time to respond to 20 it. 21 MR. GROSSMAN: Well, let me hear from applicant's 22 counsel on this point specifically. 23 MS. GIRARD: Sure. The, yes, I did respond as to 24 when we had submitted it. The first submission was in 25 September at the request of Staff. Coming out of a meeting,</p>

<p style="text-align: right;">Page 18</p> <p>1 they asked for a cross-section to give them a sense of 2 relationship. We submitted that to them. I've never 3 understood the case to be that absolutely everything that 4 Staff requests needs to go into the formal record with the 5 Hearing Examiner. Be that as it may, we did submit it 6 formally. We actually put the distance on there at the 7 request of Ben Berbert's staff. We submitted to it. And it 8 appeared as attachment to his October 5th Staff Report. So 9 it has been a matter of public record since October 5th. 10 Around that same time, our client reached out the Paul's 11 directly to see if they wanted to sit down and talk about 12 the relationships and talk about the cross-section. And 13 that, that offer was rebuffed. So for Mr. Chen to, to say 14 that he needs time to review this when it's actually been 15 out over a month, is a little disingenuous. 16 MR. GROSSMAN: Well, let me turn back to Mr. -- 17 MS. GIRARD: The other thing is, can I just 18 finish. 19 MR. GROSSMAN: Sure. 20 MS. GIRARD: He also purports at least in his pre- 21 filing statement that he was going to call an expert 22 engineer. So I don't understand why, if it's a matter of 23 measurement, why the engineer can't just scale it off. I 24 mean our, certainly our, our consultants can speak to that 25 and the accuracy of it, but it is gone to scale. It should</p>	<p style="text-align: right;">Page 20</p> <p>1 date, that is not sufficient time. My clients are 2 prejudiced because part of the issue involved here and quite 3 frankly, if you recall my comment to you about your use of 4 the word distance, it is that in order to properly depict 5 the relationship, you need a survey. That information is 6 not off a survey. And in my search for a consultant to 7 respond to this, first of all, good luck finding one in 8 Montgomery County. I mean, as the Examiner may know -- 9 MR. GROSSMAN: Well, let's, let's not too far 10 afield here. 11 MR. CHEN: Yeah. Aside from that. 12 MR. GROSSMAN: Let's, let's stick to the issue. 13 MR. CHEN: The timing on getting a survey crew out 14 there, you're probably looking at three to four weeks, I 15 understand from my inquiries to have this document analyzed. 16 So, you know, it doesn't make any difference. My clients 17 are still on the timing on this thing, on this filing 18 prejudiced. So if we don't finish today, I don't think 19 there's, knock on wood, I hope it will not be a problem. 20 But if we're finishing up today, my clients are prejudiced 21 by this filing. Now it is a late filing and I think that's 22 all I have to demonstrate. That, to show the prejudice to 23 my clients. 24 MR. GROSSMAN: Okay. Let me say a couple of 25 things. One is that if the Technical Staff and the Planning</p>
<p style="text-align: right;">Page 19</p> <p>1 just be a pretty easy computation. 2 MR. GROSSMAN: Mr. Chen, you want to respond to 3 those two replies. 4 MR. CHEN: Well, first of all, the scale from the 5 preliminary information that I had received from an engineer 6 is that it's not accurate with the scale. Okay. But 7 leaving, leaving that aside for a moment. I do acknowledge 8 that Ms. Girard and Mr. Kaufman wanted to assuage my 9 clients' concerns. They were not rebuffed. You know. It 10 was quite simply we have a disagreement. My clients had 11 seen the situation, what is proposed, and the proposal was 12 screening. And from my clients' point of view, that was not 13 going to assuage their concerns. So, you know, it was that 14 simple back and forth. My understanding is that if the 15 Technical Staff and the Planning Board is going to rely upon 16 information to make a recommendation to either the Examiner 17 or the Board of Appeals that that information has to be in 18 the OZAH record. And it has to be timely in the OZAH 19 record. And this information was not timely in the OZAH 20 record. I will tell you that the document that was on that 21 original Staff Report was very similar to what was finally 22 filed, but it was not identical to what was finally filed. 23 In fact, as I recollect, there were two different versions 24 and I refer to them as A and B in my letter to Ms. Girard. 25 And the point that I am making is that even accepting her</p>	<p style="text-align: right;">Page 21</p> <p>1 Board rely on something in, in their, reaching their 2 findings and conclusions, yes, it does have to be part of 3 our record. 4 Secondly, Ms. Girard, are you referring to 5 Attachment 20 as being, to the Technical Staff Report as 6 being the prior filing of this? The, that it was available, 7 the Technical Staff Report was issued on October 2. 8 MS. GIRARD: Yes. 9 MR. GROSSMAN: Okay. And, and I presume, Mr. 10 Chen, that the difference that you're suggesting between the 11 two documents, Exhibit 79 I has a scale on it and shows the 12 distances whereas the extended site section that's attached 13 to the Staff Report does not. Is that correct? 14 MR. CHEN: Yes. You got it. That, that's part 15 of, that's why my, my letter was worded the way it was. 16 MR. GROSSMAN: Okay. 17 MR. CHEN: Trying to figure out what, what's going 18 on there. 19 MR. GROSSMAN: All right. 20 MR. CHEN: Yeah. You've got it. That, that, 21 excuse me. That is, you have identified my concern between 22 the two documents. 23 MR. GROSSMAN: I'll make sure that, that the 24 record remains open for a reasonable time after this hearing 25 if it terminates today so that you can file something in</p>

<p style="text-align: right;">Page 22</p> <p>1 reply.</p> <p>2 MR. CHEN: In that same letter, among the reports</p> <p>3 that you have is the reference to, I think it's in one of</p> <p>4 VIKA's, I think it's VIKA's Environmental Report, is a</p> <p>5 concept sediment control plan. My understanding is we got</p> <p>6 that last week. Ms. Girard kind of said, you know, here it</p> <p>7 is. I'll bring it, you know, I don't see the importance of</p> <p>8 it. Well, VIKA respond, relies on it. Talks about it. I'm</p> <p>9 reading the report a week ago, trying to understand it.</p> <p>10 Trying to understand what's going on. And that's why I sent</p> <p>11 my letter. We have another filing that comes in a week</p> <p>12 before the hearing. Now, and, and on that one, I'm hoping</p> <p>13 we can deal with that during the course of the hearing.</p> <p>14 I'm, I understand the interest in trying to conclude</p> <p>15 matters. I respect that. But this is, this is not fair to</p> <p>16 people who are concerned, the opposition. It, it echoes</p> <p>17 what Mr. Uhre was saying that things come in, you know,</p> <p>18 during the course. They may be minor revisions that the</p> <p>19 Staff wants or Park and Planning. It doesn't matter. I</p> <p>20 mean people who are concerned about it try to address a</p> <p>21 moving target. And, you know, that is my, my problem with</p> <p>22 this type of filing. Be that as it may, we're going to try</p> <p>23 to work, and I know Mr. Uhre feels the same. We're going to</p> <p>24 try to work with the process, but this is a concern.</p> <p>25 MR. GROSSMAN: Okay. Let me hear, Ms. Girard, do</p>	<p style="text-align: right;">Page 24</p> <p>1 with Mr. Chen in the sense that the document is a bit</p> <p>2 different. I think they're very important and I think</p> <p>3 there's some other documents that, there's some other areas</p> <p>4 of this where documents haven't been provided. But as to</p> <p>5 that point, I would agree with Mr. Chen.</p> <p>6 MR. GROSSMAN: Okay. I don't want to leave Ms.</p> <p>7 Lee out of this. Ms. Lee, did your organization file</p> <p>8 anything in reference to this case with my office?</p> <p>9 MS. LEE: No we have not.</p> <p>10 MR. GROSSMAN: Okay. Well, then I'm not going to,</p> <p>11 I was going to invite you to counsel table, but I'm not</p> <p>12 going to for that, for that reason. Okay. Because usually</p> <p>13 there, under the Rules, if an organization is going to</p> <p>14 appear here, I usually, there's requirement of advance</p> <p>15 notice. Not for individuals. Individuals can just show up</p> <p>16 at the day of hearing and can testify and make their points.</p> <p>17 I'm not ruling you out as a witness. We'll reach that point</p> <p>18 later when, you know, we get to that point if you want to</p> <p>19 offer testimony. And we'll see if there's any objection to</p> <p>20 it. But in terms of your participating at counsel table in</p> <p>21 the way that I have Mr. Uhre, I'm going to make that</p> <p>22 distinction.</p> <p>23 MS. LEE: If I might just, I did specifically ask</p> <p>24 about that because when I read the Rules, I wanted to make</p> <p>25 sure that we were in compliance with them, but I was</p>
<p style="text-align: right;">Page 23</p> <p>1 you want to say anything on this point?</p> <p>2 MS. GIRARD: Right. I just, that's fine. It was</p> <p>3 an oversight on our part that it was even mentioned in the</p> <p>4 Engineering Reports. I, I, it's a pretty simple exhibit. I</p> <p>5 agree with, I hope we can deal with it in these proceedings.</p> <p>6 Certainly the engineer can talk through it. Answer any</p> <p>7 questions. I just don't see that that's going to, an</p> <p>8 exhibit, that that's straightforward, is going to</p> <p>9 necessitate the record being held open much longer.</p> <p>10 MR. GROSSMAN: Mr. Uhre, do you have anything to</p> <p>11 say about these two points?</p> <p>12 MR. UHRE: Well, I would agree with Mr. Chen that</p> <p>13 the documents are obviously different and I think that it</p> <p>14 does, if I were sitting in Dr. and Mrs. Paul's shoes, I</p> <p>15 would be very concerned about it because I think they're the</p> <p>16 ones that are going to have the greatest risk in this whole</p> <p>17 proposal. I just feel, I would add to that this whole</p> <p>18 traffic information that was placed into the record by the</p> <p>19 Planning Office --</p> <p>20 MR. GROSSMAN: Well, that's a separate point. I</p> <p>21 want to, I want to --</p> <p>22 MR. UHRE: Right. Okay. On this particular</p> <p>23 point?</p> <p>24 MR. GROSSMAN: Yes.</p> <p>25 MR. UHRE: Yeah. I would, I would agree with,</p>	<p style="text-align: right;">Page 25</p> <p>1 reassured that if we were not bringing witnesses that we</p> <p>2 were not going to be participating in any way for cross-</p> <p>3 examination. I'm just presenting narrative testimony that I</p> <p>4 need to as a witness. And that, I apologize if I need to do</p> <p>5 more than that.</p> <p>6 MR. GROSSMAN: Okay. You're saying that my staff</p> <p>7 reassured you that, that you didn't have to file anything at</p> <p>8 all if you were going to be presenting narrative on behalf</p> <p>9 of an organization?</p> <p>10 MS. LEE: That's correct. That I could just come</p> <p>11 today and, and I specifically asked because at, at the</p> <p>12 Planning Board and at the Council they have very strict</p> <p>13 requirements about timing, the numbers of copies and I</p> <p>14 wanted to make sure that I was consistent with those</p> <p>15 requirements and obviously we'll do whatever we need to do</p> <p>16 today.</p> <p>17 MR. GROSSMAN: All right.</p> <p>18 MS. LEE: Thank you.</p> <p>19 MR. GROSSMAN: Thank you. Okay. Yes. Mr. Chen.</p> <p>20 MR. CHEN: Moving on. Unless --</p> <p>21 MR. GROSSMAN: All right. Yes. As far, was that,</p> <p>22 the question of whether or not the concept sediment control</p> <p>23 plan timing is an issue, as you said, we'll develop during</p> <p>24 their, and I'll, I will certainly make sure that all sides</p> <p>25 have a fair opportunity to comment on, on evidence.</p>

<p style="text-align: right;">Page 26</p> <p>1 MR. CHEN: This next issue really is in the 2 nature, I think, of summary disposition. And I think it's a 3 very serious issue and it flows into what I also think is 4 probably accurately described as a motion in limine type of 5 motion. Two matters. There's no factual dispute before you 6 this morning that the entire presentation application is 7 premised upon the existence of the special exception for the 8 tennis club. All of the decisions are, I think it's Exhibit 9 54 in the record. I could be mistaken on that. But when I 10 went through your file, they're all there. There's the 11 decision, the base decision, I think, on the swimming pool, 12 which is associated with that special exception, is a 13 separate special exception and I don't think the base 14 decision on that is included in that exhibit. I, if you 15 want, we'll give it to you, but all, my understanding is 16 that, and I don't know who filed them, but all of the 17 special exception opinions on the tennis club have been 18 filed and are in the record. And the presentation, you 19 know, Mr. Uhre made a comment about the traffic. That's a 20 good example. It compares the proposed traffic from this 21 conditional use with the existing traffic at the special 22 exception. The storm water management plan talks about how 23 they're improving by, is very careful about how they're 24 improving the setting by moving things from the tennis 25 court, existing operation to the other side of the property</p>	<p style="text-align: right;">Page 28</p> <p>1 MR. CHEN: I'm talking about everything that 2 they're, they're -- 3 MR. GROSSMAN: Because I don't think there's any 4 dispute that the tennis court and the, the present existing 5 special exception is irrelevant in terms of the 6 compatibility issues that arise for this building. 7 MR. CHEN: Yeah. 8 MR. GROSSMAN: So that's most of their 9 presentation, I suspect. So your point does not go to that 10 really. 11 MR. CHEN: Well, it does go to that. Well -- 12 MR. GROSSMAN: Your point really goes -- 13 MR. CHEN: -- I include that. Excuse me, I 14 apologize. 15 MR. GROSSMAN: But it, but doesn't go to that 16 because there's no comparison made with the present special 17 exception in terms of compatibility. In terms of 18 compatibility, this proposed use must be compatible with the 19 neighborhood under the terms of the, of the Zoning 20 Ordinance. Traffic is a little different because the LATR. 21 That's the Local Area Transportation Review standards. And 22 they way they've been applied in the past is to look at 23 whether or not the proposed use will be an increase or a 24 decrease from the current use and what that amount will be. 25 And that's how they determine what the impact on traffic</p>
<p style="text-align: right;">Page 27</p> <p>1 to my clients' side. That's a phantom. As a matter of law, 2 the analysis of this conditional use should ignore the 3 tennis court special exception because, and the applicant is 4 very candid about this, I think, upon approval of this 5 conditional use that is before you, the tennis court is 6 gone. It's going to, the word is it's going to supplant 7 that existing land use. Accordingly, the analysis to what 8 is going on now on the site by the tennis court special 9 exception is irrelevant to the implication and the impact of 10 the proposed special exception on the neighborhood. And in 11 this regard, the analysis should be the base RE-2 Zone on 12 the subject property and what is there was a permitted use 13 on the site because this special exception which is now the 14 base for the evaluation that is before you and has been 15 submitted, it's going to, as I say, it's a phantom. It's 16 going to be gone. It's not a realistic evaluative context. 17 So that virtually this whole presentation, and it's not an 18 issue of fact, this is straight law is irrelevant to the 19 application and it should either dismissed or, you know, the 20 applicant, and I hate to say this, be afforded an 21 opportunity to amend and, and make the proper evaluation. 22 But, please, I -- 23 MR. GROSSMAN: Are you talking about, let, let me 24 understand which evaluation you are talking about. You're 25 talking about the traffic evaluation?</p>	<p style="text-align: right;">Page 29</p> <p>1 will be from the current traffic. So I understand your 2 point in that context. I don't understand it in any other 3 context. 4 MR. CHEN: I believe that the compatibility in 5 information that has been presented in the filing for, for 6 the application all relate to the tennis court use. The 7 improvements, the comparison. And that's where I'm coming 8 from. That, that that, and, and I'm, please, I'm talking 9 specifically about the compatibility as well as traffic. 10 And, and, by the way, as far as traffic is concerned, again, 11 the defect, and I think this is where Mr. Uhre was going, is 12 it's not on the generation by the tennis court special 13 exception. The analysis should be on this site, most 14 generously to the applicant would be to detached residences 15 because it's got four acres and it's an RE-1 Zone, RE-2 16 Zone. Same thing with compatibility. Everything has been 17 hearkening in back when you read the reports to the existing 18 special exception uses. And respectfully, that is not the 19 proper analysis. It should be, if that property were bare, 20 if it was the 4.02 acres was nothing there but the land 21 itself, and that's where we're coming from. That everything 22 that is before you is, is not based upon that type of an 23 analysis. It's based upon what is existing there now. And 24 respectfully, as a matter of law, that is not correct. And 25 that's why it has to either be dismissed or, and --</p>

<p style="text-align: right;">Page 30</p> <p>1 MR. GROSSMAN: Well, it doesn't have to be, I 2 think that, I understand your point and appreciate your 3 raising it at a preliminary stage so I can consider the 4 evidence in light of your point. But it's not a basis for 5 dismissing an application or ordering any changes to it at 6 this point. It is a basis for considering the evidence and 7 evaluating your legal point in the context of the whole 8 case. And so, and I will do that. 9 MR. CHEN: Okay. Thank you. Moving along. 10 MS. GIRARD: Do, can we respond to that before we 11 -- 12 MR. GROSSMAN: You can. 13 MS. GIRARD: Okay. 14 MR. GROSSMAN: Sure. Ms. Girard. 15 MS. GIRARD: Thanks. I just wanted to note a few 16 things. One, if we start looking at uses as if they don't 17 exist when we, if we go back to only what's allowed in the 18 zone and, and I think we need to remember special exceptions 19 or conditional uses as they are now called, as, as the 20 Hearing Examiner pointed out at the beginning, are permitted 21 as long as certain conditions are met. So we can't pretend 22 that they're not there. And it's been there for a long 23 time. And I think that it would be changing the way the 24 County does business to, to start saying well, we can only 25 look at what is permitted by rights, only residential if</p>	<p style="text-align: right;">Page 32</p> <p>1 MR. UHRE: Well, I think I would strongly agree 2 that we believe in the event, I think the applicant had a 3 choice. They could have filed the amendment to the current 4 conditional use or special exception. They chose not to do 5 that. They chose instead to say we're extinguishing the, 6 the current special exception and we're going to start all 7 over again. 8 MR. GROSSMAN: Well, they couldn't, they couldn't 9 amend the special exception to, to have a, a completely 10 different use. That's not a, that's not a possibility. 11 MR. UHRE: Well, well, in any event, specifically 12 as to the traffic, I believe, or we believe in reading the 13 requirements of the LATR that you can only use an existing 14 use if it's a renovation or if it's an expansion. This is 15 neither. By their own definition, it is neither. It's a 16 whole brand new thing. So I think particularly on the 17 traffic issue that the page 17 that they rely on in the 18 Regulations is not applicable. 19 MR. GROSSMAN: Okay. We will certainly look at 20 that at the appropriate time. Mr. Chen. 21 MR. UHRE: Thank you. 22 MR. CHEN: Just, just responding. Mr. Uhre, I, 23 you said that there's a law against discharging into the 24 stream valley buffer. 25 MS. GIRARD: No. Improve, not discharging.</p>
<p style="text-align: right;">Page 31</p> <p>1 that's the zone. But aside from that, we don't rely, our, 2 our whole case does not rely on the existing tennis club. 3 We will prove beyond a shadow of doubt that there's, that 4 proposed use is compatible with the adjacent neighborhood 5 and we don't need the tennis court to do that. We 6 absolutely will prove that, that we can do that. 7 The other thing is the storm water that Mr. Chen 8 mentioned, I mean when Staff looks at this, they don't care 9 that the tennis courts are in the existing stream valley 10 buffer. They look at it as if there's a law you can't be in 11 the stream valley buffer. Pull out. So we're not using 12 that to cut any corners. In fact, but it is important to 13 recognize, the existence of the tennis court to recognize in 14 that the Board in previous cases has found that certain 15 aspects of the tennis club were compatible with the 16 surrounding neighborhood. So that part of the context is 17 relevant, but we are in no way relying on that to prove that 18 we meet the standards of approval of this conditional use. 19 And as far as the traffic is concerned, it, it's all 20 codified how we're doing it. So there's really no -- 21 MR. GROSSMAN: All right. You can introduce that, 22 by the way, in, in your case. 23 MS. GIRARD: And we will. 24 MR. GROSSMAN: Mr. Uhre, do you have any comment 25 on that particular point?</p>	<p style="text-align: right;">Page 33</p> <p>1 Existing improvement. There now is a law. At the time that 2 the tennis courts were built -- 3 MR. CHEN: Okay. 4 MS. GIRARD: -- they were allowed within it -- 5 MR. CHEN: Thank you. Right. 6 MS. GIRARD: -- what has not been established as a 7 buffer. 8 MR. CHEN: So that they were lawful when 9 installed. 10 MS. GIRARD: Correct. 11 MR. CHEN: And if the special exception were to 12 remain, they'd still be lawful. 13 MS. GIRARD: Correct. 14 MR. CHEN: Thank you. Okay. And I'm going to 15 come back to Mr. Uhre in a second. 16 Just another issue. The grading plan. You also 17 have in the record my letter asking for the grading plan 18 because the, the Zoning Ordinance requires filing a grading 19 plan. What, what I was referred to by Ms. Girard was 20 Exhibit 39 E, which is the conditional use plan. I think 21 that's been updated to now be Exhibit 79 A I. 22 MS. GIRARD: It's not really an update. It's just 23 that they're stamped and, and sealed. 24 MR. CHEN: Okay. That plan, the conditional use 25 plan shows finished grade with the conditional use building.</p>

<p style="text-align: right;">Page 34</p> <p>1 Respectfully, I think rough grading, that's the words used 2 in the Zoning Ordinance, require a, a, exhibit, rough 3 grading plan showing the site as it would be graded to 4 accommodate the proposed conditional use. And that we don't 5 have in this case a rough grading plan. We have a document 6 that, as I understand, purports to show the finished grade 7 with the existing building. 8 MR. GROSSMAN: Ms. Girard, do you want to respond 9 to that? 10 MS. GIRARD: Only that the, oh, God, I'm going to 11 have to cite the Code reference, 7.3.1.B.K.4 references the 12 rough grading plan that we're talking about and the, subset 13 K, says if plan to the proposed development showing rough 14 grading. So rough grading is shown on those plans. There's 15 no requirement for a separate grading plan. In fact, 16 there's, if you read it that way, you'd need a separate plan 17 to show where the open spaces are and a separate plan for 18 sidewalks. So there's nothing against including the rough 19 grading on the conditional use plan and that's what we did. 20 MR. CHEN: Respectfully, that's not rough grading. 21 And -- 22 MR. GROSSMAN: Well, you can, we can argue about 23 that at a later time. These are really preliminary matters. 24 Mr. Uhre, do you have a comment on that? You 25 don't have to comment. It's not necessary you comment on</p>	<p style="text-align: right;">Page 36</p> <p>1 the parties on how you're going to approach the legal 2 analysis of this application. Indeed, and I know you, this 3 one part you, you already know about, but if we're talking 4 about an amendment to the existing special exception as at 5 least the language in the ordinance says, you then go to 6 7.3.1.K, which talks about amendments. And I, sub 1.A, or 7 excuse me, sub 1 talks about major amendments and it would 8 seem to me if we're, we're dealing with an amendment, it 9 certainly would be in the nature of a major amendment, but 10 again, I'm deferring to you because under the law, you have 11 to make the determination. I just want to know on behalf of 12 my clients the approach under the law that you're going to, 13 going to take on this and, and that's why it's an in limine 14 motion. 15 MR. GROSSMAN: All right. Ms. Girard. 16 MS. GIRARD: If I'm, if I'm following Mr. Chen, 17 the, the provision he's citing is satisfies any applicable 18 previous approvals on a subject site or if not, then the 19 previous approval must be amended. 20 MR. GROSSMAN: What's the cite to the provision 21 again? What's the cite to the provision again? 22 MS. GIRARD: I was hoping not to have to do that 23 again. 7.3.1.E.1.A. 24 MR. GROSSMAN: Okay. Yes. Satisfies any 25 applicable previous approval on the subject site or if not,</p>
<p style="text-align: right;">Page 35</p> <p>1 everything. I'm just trying to be fair and give you the 2 opportunity. 3 MR. UHRE: I understand. I have no comment to 4 make. 5 MR. GROSSMAN: All right. 6 MR. CHEN: Now, my, thank you, Mr., my last point 7 actually goes to Mr. Uhre. What he was saying and my 8 mentioning of a motion in limine. If you look at Section 9 7.3.1.E, it's entitled Necessary Findings. And sub 1 says 10 to approve a conditional use application, the Hearing 11 Examiner must find that the proposed development (a) 12 satisfies any applicable previous approval on the subject 13 property, or, if not, and I think we're in the if not 14 situation, that the previous approvals must be amended. Now 15 I heard what you just said a moment ago and, and I'm not 16 quarreling with you, but I, I have to respectfully fall back 17 on the law. And the law is the law. And I understand there 18 may be logic that would argue something different, but, and 19 I think this is where Mr. Uhre was coming from, you have to 20 make a determination. That's what this says. I think you 21 have to lay out very early on, Mr. Examiner, how you're 22 going to approach this case in light of that ordinance 23 provision. Again, this is not a motion for summary 24 disposition on this point. I think it really is in the 25 nature of an in limine motion that you've got to inform all</p>	<p style="text-align: right;">Page 37</p> <p>1 the previous approval must be amended. 2 MS. GIRARD: That's the basis of your argument, 3 right, Mr. Chen? 4 MR. CHEN: Yeah. 5 MS. GIRARD: I would just note the word applicable 6 there. I mean I don't think it's applicable that there's an 7 existing tennis club and we're coming in with a residential 8 care facility. 9 MR. GROSSMAN: Okay. 10 MS. GIRARD: I, it would be completely 11 unprecedented to say that in order to have a new special 12 exception, you have to amend the old one. It just doesn't 13 make any sense. 14 MR. GROSSMAN: Mr. Uhre, do you have any comment 15 on that? 16 MR. UHRE: It appears to me in looking at the 17 whole scheme that the counsel has set forth for us that they 18 never intended to have two live different conditional uses 19 on the same segment of the property. Clearly you can have 20 two uses on different segments. But in essence, this is the 21 same segment of the property. And I suspect that because of 22 the way the contract is drafted that they chose to go this 23 route as opposed to coming in with an amendment. I would 24 agree with Mr. Chen and I would carry it a step further. 25 The Planning Staff or the Planning Board in their</p>

<p style="text-align: right;">Page 38</p> <p>1 recommendations, I think in 6, condition 6 is recommending 2 that you provide a condition that says they can't use or 3 occupancy permits until the other is extinguished. I 4 seriously question whether again because of the structure 5 here and because of what the Code says as to what the Office 6 of, what DPS can do, I'm not sure that that's an enforceable 7 condition on DPS. And I think we're getting into some very 8 slippery slopes here when we put conditions that appear to 9 have at least conflict with existing code. Because I just, 10 I'm just not sure it would be an enforceable condition. We 11 don't have the current owner of the property and the one who 12 has existing special exception or conditional use is not a 13 part here. You've recognized that certainly in the other, 14 the, the emails that have been sent back and forth. So I'm 15 not sure exactly, it seems to be that you're, we're trying 16 to take all of this and shift it over to DPS to enforce it, 17 but once you enter an opinion, it's live and I'm not sure 18 that you can condition DPS to say you can't do anything 19 until the existing special condition is eliminated. So I 20 look at that from a practical standpoint. I'm just, from a 21 legal, enforceable standpoint, I'm just not sure that that 22 scheme works with the Code as it exists. I would agree with 23 Mr. Chen. From a practical standpoint, I understand. I 24 understand why the applicant may want to do it, but I didn't 25 write the Code. I'm just saying the way I look at the Code,</p>	<p style="text-align: right;">Page 40</p> <p>1 I guess that exhausts your, your preliminary 2 matters. You now hold the record for the longest set of 3 preliminary matters I think we've, we've had in hearings of 4 this kind. 5 All right. Let's go to the case itself. And the 6 parties may make opening statements if they wish. Ms. 7 Girard, do you have an opening statement you wish to make? 8 MS. GIRARD: You know, I think I'm just in the 9 interest of time, I think we'll just go right into it. And 10 I'll save my time for a closing statement. 11 MR. GROSSMAN: Does anybody else wish to make an 12 opening statement? 13 MR. CHEN: No. 14 MR. GROSSMAN: Is there, all right. Then Ms. 15 Girard, you may proceed with your first witness. 16 MS. GIRARD: There. You made up some time. My 17 first witness, I would like to call Brenda Bacon, please. 18 MR. GROSSMAN: All right. You know, I think with 19 a crowd this size, it might be better to have the witnesses 20 up here. Could we move a microphone and, and have the 21 witness up here? I think that's probably better and there 22 may be more people arriving also. And everybody should be 23 careful to watch for the cords if there are any that cross 24 the, the area here. We'll just ask Ms. Girard to speak up. 25 That's all.</p>
<p style="text-align: right;">Page 39</p> <p>1 I'm not sure that what, what is happening here would stand 2 up if, you know, that there's Code that conflicts with what, 3 what, what the attempt is. 4 MR. GROSSMAN: Let me address the very first part 5 of what you said. Once again you repeated the idea that, 6 that there could be an amendment to the existing special 7 exception. That's not possible to substitute one 8 conditional use for another that exists. That would not be 9 possible. Hearing the arguments on both sides and since Mr. 10 Chen wants an advance ruling on this, I agree with Ms. 11 Girard that the term applicable in the, the provision you're 12 talking about is what governs here. The existing special 13 exception is not an applicable previous approval because 14 under all circumstances here if there is an approval of the 15 conditional use proposed here, that existing special 16 exception will go away as a condition somehow phrased in an 17 appropriate way and I will certainly listen to any 18 suggestions from the participants here as to an appropriate 19 way to phrase that if I were to find that the conditional 20 use is appropriate. And anybody can submit, if they, if 21 they challenge the way the Technical Staff suggested it be 22 phrased, you can suggest an alternative way. With the 23 understanding that if the conditional use application is 24 denied, then there won't be any conditions proposed. All 25 right.</p>	<p style="text-align: right;">Page 41</p> <p>1 MS. GIRARD: No one has ever said that to me. 2 They always say why are you talking so loud? 3 MR. GROSSMAN: All right. Ma'am, you may have a 4 seat. 5 MS. BACON: Thank you. 6 MR. GROSSMAN: And state your full name, please. 7 MS. BACON: Brenda J. Bacon. 8 MR. GROSSMAN: All right. Would you raise your 9 right hand, please? Do you swear or affirm to tell the 10 truth, the whole truth and nothing but the truth under 11 penalty of perjury? 12 MS. BACON: Yes, I do. 13 MR. GROSSMAN: All right. 14 You may proceed, Ms. Girard. 15 DIRECT EXAMINATION 16 BY MS. GIRARD: 17 Q. Ms. Bacon, you already said your name, but can you 18 include your business address and occupation, please? 19 A. I am the president and CEO of Brandywine Senior 20 Living. Our corporate address is 525 Fellowship Road, Suite 21 360 in Mount Laurel, New Jersey. 22 Q. And what is your educational professional 23 background? 24 A. I have a bachelor's degree from Hampton University 25 in, in Sociology and I have an MBA from the Wharton School</p>

<p style="text-align: right;">Page 42</p> <p>1 of the University of Pennsylvania.</p> <p>2 Q. And how have you been spending the time since you</p> <p>3 graduated with those degrees?</p> <p>4 A. I have spent my career in both the public and the</p> <p>5 private sector, but always in the healthcare field. Working</p> <p>6 with hospitals, skilled nursing communities and assisted</p> <p>7 living communities. And we started Brandywine in 1996.</p> <p>8 Q. And are you a member of any boards or</p> <p>9 associations?</p> <p>10 A. I am the chair of Argentum, which is formerly the</p> <p>11 Assisted Living Federation of America. So it's a national</p> <p>12 group for the senior living industry. I'm on the board of</p> <p>13 the, board of trustees of Rowen University and I'm on the</p> <p>14 board of FTI Consulting, which is a New York Stock Exchange</p> <p>15 Public Company.</p> <p>16 Q. And can you review your experience with the design</p> <p>17 and construction of residential care facilities?</p> <p>18 MR. GROSSMAN: Are you calling this witness as an</p> <p>19 expert?</p> <p>20 MS. GIRARD: No. No. But I think it's important</p> <p>21 to establish that she knows what she's doing in, in, with</p> <p>22 these facilities.</p> <p>23 MR. GROSSMAN: I'm going to give you some leeway.</p> <p>24 I'm not sure why that's important to establish if she's not</p> <p>25 an expert, being offered as an expert here, but I'll give</p>	<p style="text-align: right;">Page 44</p> <p>1 of the regulations, but you go beyond those regulations in</p> <p>2 establishing quality standards in the care that you provide</p> <p>3 in your communities. So you have to, the, the State Health</p> <p>4 Department surveys you several years in a row and if it</p> <p>5 determines that you continue to exceed the standards you can</p> <p>6 be deemed advance standing.</p> <p>7 MR. GROSSMAN: I see. Okay.</p> <p>8 BY MS. GIRARD:</p> <p>9 Q. And this is your first foray into Maryland?</p> <p>10 A. It is.</p> <p>11 Q. And why did you --</p> <p>12 A. I, I'm from Maryland, but this is my first</p> <p>13 business community in Maryland.</p> <p>14 Q. And can you review why you chose this location in</p> <p>15 particular?</p> <p>16 A. We chose this location because it, in reviewing</p> <p>17 the local needs and, and where communities need exist, need</p> <p>18 to exist to help families take care of their aging loved</p> <p>19 ones, Potomac is an area that is particularly in need of</p> <p>20 these services. I believe the master plan that was created</p> <p>21 did talk extensively about the need for these services. It</p> <p>22 is a community that is very much like other communities and</p> <p>23 Potomac is a very special community, but, but it has many</p> <p>24 adult children who want their parents to be near them or to</p> <p>25 be able to remain in the community as they age but no longer</p>
<p style="text-align: right;">Page 43</p> <p>1 you leeway then.</p> <p>2 MS. GIRARD: Okay.</p> <p>3 MR. GROSSMAN: For background.</p> <p>4 BY MS. GIRARD:</p> <p>5 Q. You can go ahead.</p> <p>6 A. My, my, I'll make it brief. We've, we've built,</p> <p>7 we, we currently operate 27 senior living communities.</p> <p>8 We've built about 14 of those and made extensive renovations</p> <p>9 to others that we've acquired. We currently, we just this</p> <p>10 summer opened three new communities and we have one under</p> <p>11 construction now and two, two others under development. So</p> <p>12 we spend a lot of time in the design and development of our,</p> <p>13 our buildings.</p> <p>14 Q. And what jurisdictions does Brandywine operate in?</p> <p>15 A. Connecticut, New York, New Jersey, Pennsylvania,</p> <p>16 and Delaware.</p> <p>17 Q. And is Brandywine in good standing in all those</p> <p>18 jurisdictions?</p> <p>19 A. We are in, in good standing with the regulators in</p> <p>20 all of those jurisdictions and enjoy advance standing status</p> <p>21 in the State of New Jersey.</p> <p>22 MR. GROSSMAN: Advance standing --</p> <p>23 THE WITNESS: Advance standing.</p> <p>24 MR. GROSSMAN: What does that mean?</p> <p>25 THE WITNESS: It means that you not only meet all</p>	<p style="text-align: right;">Page 45</p> <p>1 want them to be alone. Both for socialization as well as</p> <p>2 protection in terms of you want somebody standing by when</p> <p>3 they're taking their shower or making sure they're eating</p> <p>4 properly. And so we look at the demographics of the area.</p> <p>5 We look at what services are available and, and we, we</p> <p>6 decided that Potomac was a place that we'd like to bring</p> <p>7 Brandywine's services to. And as I said, I've always wanted</p> <p>8 to come back and do something in Maryland, you know, as I,</p> <p>9 as our, our company grew.</p> <p>10 Q. And when you were looking at this property in</p> <p>11 particular, did you look at the surrounding area, the</p> <p>12 adjacent uses?</p> <p>13 A. Yes.</p> <p>14 Q. And you are right next door to Manor Care. Is</p> <p>15 that, that wasn't a deterrent?</p> <p>16 A. No. Not at all. Because we provide different and</p> <p>17 complementary services. Manor Care is a 24-hour skilled</p> <p>18 nursing community. So patients who live in Manor Care are</p> <p>19 there either for intensive short-term therapy after an event</p> <p>20 like a broken hip or a heart event and they need around-the-</p> <p>21 clock. So they may need IV-therapy. They may need feeding</p> <p>22 tubes. All kinds of things where you need a nurse or</p> <p>23 several nurses there 24 hours a day. While we do have a</p> <p>24 nurse in our community 24 hours a day, which is not like</p> <p>25 other senior living communities, we don't provide that level</p>

<p style="text-align: right;">Page 46</p> <p>1 of care. Our residents are not patients. They're 2 residents. They're living in our community. It's their 3 home and they have supportive services as they need them. 4 And many of our residents are very independent. They may be 5 85 or 90 years old, but they're independent. But their 6 family does not want them to live alone anymore and, you 7 know, I, I agree with them because isolation is kind of the 8 biggest ager there is. 9 Q. And you touched on it a little bit as far as your 10 resident, but can you particularly describe what, what you 11 plan for this project here? 12 A. Well, when you look at a good location for a 13 senior living community, I think you first want to look at 14 the, the vibrancy of the surrounding community and then you 15 look at the site and find the right site within that 16 community. In terms of this site, we loved that it was, the 17 golf course views around it, that the Manor Care was next 18 door. The Bullis School is across the street and we, we do 19 many inter-generational programs at Brandywine. And we 20 don't have any nearby, we have, we have residential 21 neighbors, but they're not right there. I mean in some 22 communities, we have actually built within an over 55 23 community or, or, or within some kind of housing community 24 and it has worked very well. But in this case we have ample 25 grounds around us to buffer, you know, from, from the one</p>	<p style="text-align: right;">Page 48</p> <p>1 community. There are a certain amount of fixed costs that 2 go along with running a community in terms of the 3 infrastructure that you need and having a number of 4 residents helps to make sure you've got an economically 5 viable community. 6 Q. Okay. Can we run through the, the typical 7 operations that you anticipate having there? It would be 8 24/7, 365 days a year because it's a residence? 9 A. Well, yes, as a residence. It's very quiet there 10 at 1:00 or 2 o'clock in the morning as it is in most homes. 11 But we are, yes, a 24 hour staffed community. 12 Q. And speaking of staffing, how many full-time and 13 part-time employees maximum would you have? 14 MR. GROSSMAN: Maximum on-site or maximum 15 employed? 16 MS. GIRARD: I'm going to ask on-site next. 17 MR. GROSSMAN: Okay. 18 BY MS. GIRARD: 19 Q. Maximum employed first. 20 A. We would anticipate about 110 full and part-time. 21 So many of those will be part-time and some full-time 22 employees. And at any given time, 40 would be the maximum 23 on-site. And that would be midday. If you think about noon 24 on a, on a regular day that's probably when it would peak. 25 Q. But you do have shifts? People that work in</p>
<p style="text-align: right;">Page 47</p> <p>1 surrounding property. One property is close to us which is 2 Dr. and Mrs. Paul's property. And we thought we could 3 sufficiently surround our property from there. So there are 4 a lot of reasons why this site, the scenic nature of the 5 site, the size of it, the way that our building as designed 6 would fit very nicely on the property. And so we considered 7 all of those things. 8 Q. And you're proposing 140 beds for this -- 9 A. Yes. 10 Q. -- facility. 11 A. 100, 120 units, 140 beds. 12 Q. Okay. And can you, some of the opposition has 13 raised the question as to why it needs to be that large. 14 Why that many beds? Can you speak to that concern? 15 A. I, I would answer that in two ways. I think that 16 a community has to be large enough, you think about a 17 community of seniors as a small town and a lot of what 18 happens in senior living communities is that they find other 19 people who have similar interests as they do. So there may 20 be a bridge club or a garden club or a cooking club or 21 people that like to go to the museums. And so you need 22 enough of a community, if you will, to be able to find 23 people with like interests as you have. And so that is one 24 reason why size matters in these kinds of communities. And 25 the other one is the, the economic viability of the</p>	<p style="text-align: right;">Page 49</p> <p>1 shifts? 2 A. We do. We have three different, if you think 3 about it as three different shifts and it doesn't always 4 work this way, but I can tell you generally it's a 7:00 in 5 the morning until 3:00 in the afternoon shift. 3:00 to 6 11:00 and then another, then an 11:00 to 7:00. The, the day 7 shift, the 7:00 to 3:00, is the largest shift because that's 8 when your department heads are in the building, when your 9 dining services are in the building because you're serving 10 breakfast, lunch and preparing for dinner. It's when you're 11 doing physical therapy or activities or a swimming class or, 12 you know, a variety of things that may be going on during 13 the day as, as, you know, much like our lives and much more 14 active during the day than they are at 2 o'clock in the 15 morning, hopefully. You know. So, but the staff gears down 16 toward the evening as our residents, you know, have dinner. 17 They may go to a movie after dinner and the theater. And 18 then they're in the bed and so staff wanes down as that 19 happens. Stays down during the night. And then starts to 20 come back up, you know, in the, in the morning. 21 Q. And there are deliveries. And where would you 22 expect most deliveries to occur and how often? 23 A. Most deliveries will come like they do to your 24 home. So if it's, if it's the mailman or Federal Express or 25 some kind of delivery, they'll come to the front door. The</p>

<p style="text-align: right;">Page 50</p> <p>1 concierge will greet them and, and handle receiving whatever 2 is being delivered. If it is a large delivery like a food 3 order which we'll get two or three times a week, they will 4 come to the side. Deliver the food into our, our loading 5 dock area and then come, go right back out. 6 Q. And trash removal? How often do you think that 7 would occur? 8 A. Three times a week. 9 Q. Okay. And that was a point of discussion in front 10 of the Planning Board and, and you -- 11 A. Yes. 12 Q. -- agreed to limit the hours that that could 13 occur. Correct? 14 A. Yes. From 7:00 a.m. to 7:00 p.m. daily is the 15 only time that the trash could be collected. 16 Q. Move ins/move outs, how long do you think it would 17 take till the project was stabilized? In, in other words, 18 till occupancy? 19 A. The full occupancy is considered about 92 percent 20 occupancy in our industry because you have turnover all the 21 time so you have to account for that. So we usually 22 estimate 27 months. Some companies do 36 months, but our 23 experience has been 26, in, in the, 27. And sometimes it's 24 faster than that. In the three communities we opened this 25 summer they're all filling up a lot faster than that. One</p>	<p style="text-align: right;">Page 52</p> <p>1 drive. That's usually a case where their, their adult 2 children are trying to find another answer to that. 3 Q. Take their cars away. Their keys away. 4 A. And I, and I think residents, our experience has 5 been that our residents like being driven to the doctor 6 rather than having to drive themselves. So it's, it usually 7 works out well for us. 8 Q. And as part of your development of your plans for 9 this property, did you do some outreach in the neighborhood 10 to, to try to figure out what the community wanted? 11 A. We did. We met with those at, those in charge of 12 the Manor Care, of course. We met with the Bullis School, 13 the Headmaster of the Bullis School. We, we met with Dr. 14 Paul and we asked for a second meeting, but we weren't able 15 to get that. We met with the West Montgomery County 16 Citizens Association. We met with several local business 17 owners and, and vendors so we've spent some, we always spend 18 quite a bit of time getting to know the community because we 19 become very, very involved in the community once we move in, 20 you know. If we, if we're, if we go forward because we have 21 again schools and the local healthcare system and, you know, 22 whether it's the Boy Scouts or the Boys and Girls Club or 23 the chorale choir or whatever are always in our buildings. 24 We sponsor local soccer teams and do a lot of things. We, 25 we become very much a part of the community. So we like to</p>
<p style="text-align: right;">Page 51</p> <p>1 is at 50 percent in, in two and a half months. So it really 2 depends on the, the needs of, of the community, the 3 desirability of the property. All of those things go into 4 of course how long it takes to fill up. 5 Q. And once it's filled up, about how many move 6 ins/move outs do you get a, a month? 7 A. On a community this size, I would say an average 8 of five, four or five. You know, during, during a month. 9 Q. And we, there's been some discussion and I know 10 it's in the statement, but can you explain the car service 11 you provide for the residents? 12 A. We provide a chauffeured, well, it used to be a 13 Town Car, but they stopped making Town Cars, the lengthy, 14 the long Town Cars. I understand they're going to start 15 again next year. But we provide a chauffeur with a Town Car 16 for our residents to take them to doctor's appointments or 17 to any specific appointments that they may have in the 18 community. We also have a 16-passenger van that will handle 19 handicapped, you know, if somebody is using an assisted 20 device like a walker. If we're going on trips or going 21 grocery shopping or to the theater, or whatever, so we have 22 both those, those means of transportation. 23 Q. But your residents don't typically drive? 24 A. Rarely do our residents drive. It's, we do 25 occasionally have one or two residents that will still</p>	<p style="text-align: right;">Page 53</p> <p>1 get to know it very well. We also want to be able to answer 2 anyone's questions when they say what does that mean, a 3 senior living community? You know. And try to explain 4 exactly what we are. 5 Q. Right. 6 MS. GIRARD: And at that point, I, its, did you, 7 are you aware that there were certain letters of support 8 that were received at the Planning Board that we noticed 9 were not in the record here? If we could pause and submit 10 those? 11 MR. GROSSMAN: Have you a copy for counsel and Mr. 12 Uhre? This will be Exhibit 89 A. 13 (Hearing Exhibit 89 A was 14 marked for identification.) 15 MR. CHEN: Mr. Examiner, are you going to give us 16 those numbers as you get them all? 17 MR. GROSSMAN: Yes. As, as they, I'll identify 18 the letter. 89 A is support letter from Gary Williams. 89 19 B us a support letter from Davis, Ms. Gail Davis 20 Endodontics? 21 MR. CHEN: Is that 89 B? 22 MR. GROSSMAN: B- as in boy. 23 (Hearing Exhibit 89 B was 24 marked for identification.) 25 MR. GROSSMAN: This is Dr. Gail M. Davis. 89 C is</p>

<p style="text-align: right;">Page 54</p> <p>1 a support letter from Irving and Carol Yoskowitz. 2 (Hearing Exhibit 89 C was 3 marked for identification.) 4 And Exhibit 89 D is a support letter from Jim 5 McWhorter, M-C-W-H-O-R-T-E-R. 6 (Hearing Exhibit 89 D was 7 marked for identification.) 8 All right. 9 MS. GIRARD: Thank you. 10 BY MS. GIRARD: 11 Q. Are you aware of the concerns raised by the 12 Brickyard Coalition and others regarding pedestrian access 13 to the site? Particularly for employees trying to access 14 the site via bus stops on Falls Road? 15 A. I am. 16 Q. And how does Brandywine accommodate employees that 17 like to use transit? 18 A. What we do in our other communities is that we 19 will rent a shuttle from our community to pick our employees 20 up. In one of our communities, for example, in 21 Philadelphia, right outside of Philadelphia on the main 22 line, there's a train that arrives. That comes in and it's 23 about a mile away from our community. So we will pick our 24 employees up and, and, and take them back. 25 Q. So in this case, would you look at, how would you</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. CHEN: Objection. 2 BY MS. GIRARD: 3 Q. And why -- 4 MR. GROSSMAN: And, and how is this witness 5 qualified to answer that question? 6 MS. GIRARD: I don't know why she can't give her 7 personal opinion as to that. I'm not, I didn't -- 8 MR. GROSSMAN: Because usually opinion evidence 9 comes from experts, doesn't it? 10 MS. GIRARD: I don't see why she can't based on 11 her testimony as to why they, how they looked at the site 12 and designed the facility. 13 MR. GROSSMAN: Isn't, isn't the question of 14 harmony a land use expert kind of question rather than -- 15 MS. GIRARD: And we'll get, we will have land use 16 experts. I would, I would, it would go to the weight of 17 the, of the, the weight of her testimony. 18 MR. GROSSMAN: I'm tempted to sustain the 19 objection. I'm going to hear what it is and I'll decide 20 later on when I, when I decide the case whether to give any 21 weight to this evidence given this objection. But let's -- 22 MR. CHEN: I just might add this, this lady is not 23 even a resident of the area. She's the CEO and president 24 from New Jersey at a site in Maryland. I think she was 25 originally from Maryland, she said, but --</p>
<p style="text-align: right;">Page 55</p> <p>1 handle that in this instance? Would you check to see 2 whether your employees want to use the transit or -- 3 A. We would see what, what their, what their, how 4 they intended to get back and forth to work. Sometimes they 5 carpool if they're from the same area. But if they decide 6 that they're going to, you know, take the Metro and we're 7 looking at the nearest Metro station or the bus. I, I 8 understand there are two buses that will stop fairly close. 9 Then we would pick them up on, on schedule. 10 Q. Okay. And are you familiar with the conditions of 11 approval recommended by the Planning Board in its review of 12 the application? 13 A. Yes. 14 Q. And including the one we talked about with the 15 trucks? 16 A. Yes. 17 Q. And is the applicant willing to accept these 18 conditions? 19 A. Yes. 20 Q. In light of your testimony based on your 21 familiarity with the plans and the expert report submitted 22 with the application, do you believe the proposed 23 conditional use will be in harmony with the character of the 24 surrounding neighborhood? 25 A. I do.</p>	<p style="text-align: right;">Page 57</p> <p>1 MR. GROSSMAN: Yes. I, I agree with the sentiment 2 of the objection and I'm concerned about it, but I'm going 3 to hear what she has to say and then I'll decide later 4 whether to give any weight to it in my evaluation. 5 MS. BACON: Well, she's not going to say much now. 6 MR. GROSSMAN: You may proceed. 7 THE WITNESS: I would just say that we purposely 8 work with our architects to design a community that very 9 much fits into the existing community. Each one of our 10 buildings looks different because of that effort that we go 11 through there. 12 BY MS. GIRARD: 13 Q. Okay. And is there anything else you'd like the 14 Hearing Examiner to consider? 15 A. Nothing. 16 Q. Okay. That's it. 17 MR. GROSSMAN: All right. Mr. Uhre, you have any 18 questions of this witness? 19 MR. UHRE: Thank you. Yes. 20 CROSS-EXAMINATION 21 BY MR. UHRE: 22 Q. As I understand, you're an officer of Brandywine 23 Senior Living? 24 A. Yes. 25 Q. And you're the CEO of that company. Is that</p>

<p style="text-align: right;">Page 58</p> <p>1 correct?</p> <p>2 A. Yes.</p> <p>3 Q. And the proposal has been made, I believe, by</p> <p>4 Brandywine Senior Living at Potomac. How does, is that a</p> <p>5 separate company?</p> <p>6 A. No. It's the, it's an affiliate, a subsidiary.</p> <p>7 Every one of our communities has a separate company that,</p> <p>8 that governs that community. But it all rolls up into</p> <p>9 Brandywine Senior Living Company.</p> <p>10 Q. I think I understand what you're saying, but I</p> <p>11 just want to be clear. Are you saying that Brandywine</p> <p>12 Senior Living at Potomac is a separate company? Correct?</p> <p>13 A. It's a subsidiary of Brandywine Senior Living.</p> <p>14 Q. I understand, but a subsidiary as a separate</p> <p>15 corporation? As an LLC? What --</p> <p>16 A. It's an LLC, I believe.</p> <p>17 MR. KAUFMAN: Well, you can only answer based on</p> <p>18 what you, if you're not, you could say --</p> <p>19 MR. GROSSMAN: Well, wait a minute. Hold it, hold</p> <p>20 it.</p> <p>21 MS. GIRARD: Wait. Yeah. You can't --</p> <p>22 MS. BACON: Okay.</p> <p>23 MR. GROSSMAN: Sir.</p> <p>24 MR. KAUFMAN: She's looking at me. That's why I</p> <p>25 was, and I didn't want to, you know --</p>	<p style="text-align: right;">Page 60</p> <p>1 A. No. I, I own most of Brandywine Senior Living.</p> <p>2 Q. Okay. And there are just other private</p> <p>3 shareholders then --</p> <p>4 A. They're, the other shareholders --</p> <p>5 MS. GIRARD: Can we ask what the relevance of this</p> <p>6 is?</p> <p>7 MR. GROSSMAN: What is the relevance of this?</p> <p>8 MR. UHRE: I'm simply following up a newspaper</p> <p>9 story to see. I'm trying to get the accuracy because I --</p> <p>10 MS. GIRARD: Newspaper story. She didn't testify</p> <p>11 as to --</p> <p>12 MR. GROSSMAN: All right. Well, hold on, hold on.</p> <p>13 Let him finish answering the question. What's the</p> <p>14 relevance?</p> <p>15 MR. UHRE: That they, that Brandywine Senior</p> <p>16 Living was some time ago sold to a larger corporation and</p> <p>17 maybe it's a company named the same, but I was trying to</p> <p>18 understand whether they were owned by a, whether this</p> <p>19 company, in fact, was owned by another company is all.</p> <p>20 MR. GROSSMAN: And what is the relevance of that</p> <p>21 to this proceeding?</p> <p>22 MR. UHRE: I'm just trying to understand the</p> <p>23 structure of the organization and the, and the ability to,</p> <p>24 I, I'll, I can withdraw if you'd like. This is --</p> <p>25 MR. GROSSMAN: Well, no. I just, I want to give</p>
<p style="text-align: right;">Page 59</p> <p>1 MR. CHEN: Oh, no, you can't --</p> <p>2 MR. GROSSMAN: I, I would appreciate no, no</p> <p>3 contributions from the audience. People who are not sworn</p> <p>4 in.</p> <p>5 THE WITNESS: I could certainly have our Chief</p> <p>6 Corporate Officer testify as to the legal structure, but it</p> <p>7 is one company, Brandywine Senior Living.</p> <p>8 BY MR. UHRE:</p> <p>9 Q. So are you also an officer of Brandywine Senior</p> <p>10 Living at Potomac?</p> <p>11 A. Yes.</p> <p>12 MR. GROSSMAN: The LLC itself. You --</p> <p>13 BY MR. UHRE:</p> <p>14 Q. The LLC? Yes.</p> <p>15 A. Yes. Yeah.</p> <p>16 Q. Separate?</p> <p>17 MR. GROSSMAN: Okay.</p> <p>18 BY MR. UHRE:</p> <p>19 Q. So you'd be officers both companies then?</p> <p>20 A. Um-hmmm. Um-hmmm. Yes.</p> <p>21 Q. And is Brandywine Senior Living the parent company</p> <p>22 then owned by another company?</p> <p>23 A. No.</p> <p>24 Q. The separate company not owned by any other</p> <p>25 company?</p>	<p style="text-align: right;">Page 61</p> <p>1 you an opportunity to tell me why it's relevant. Whether</p> <p>2 there is another company involved, but --</p> <p>3 MR. UHRE: Because I think, I think our community,</p> <p>4 we're looking at a company that is based outside of the</p> <p>5 State of Maryland that wants to enter into the community of</p> <p>6 Potomac that I think we have a right to know what the</p> <p>7 ownership is and what maybe the past characteristics of that</p> <p>8 company might be. So I was just simply trying to find</p> <p>9 whether or not they were --</p> <p>10 MR. GROSSMAN: I, I, I question whether or not it</p> <p>11 is within my purview to do that kind of analysis, but I</p> <p>12 will, I think she's already answered the question.</p> <p>13 MR. UHRE: Right.</p> <p>14 MR. GROSSMAN: It is not owned by, so I don't, I</p> <p>15 don't, I don't know that you have to go any further, but I'm</p> <p>16 not going to cut you off on it, but I --</p> <p>17 MR. UHRE: Okay. Thank you.</p> <p>18 MR. GROSSMAN: All right.</p> <p>19 BY MR. UHRE:</p> <p>20 Q. And I believe you said you own how many sites in</p> <p>21 different states? 27.</p> <p>22 A. 27 operating communities at this time and there's</p> <p>23 one under construction.</p> <p>24 Q. And of those 27 sites, what is the, what is the</p> <p>25 smallest number of beds in any of those sites?</p>

<p style="text-align: right;">Page 62</p> <p>1 A. 52.</p> <p>2 Q. And the largest?</p> <p>3 A. 182.</p> <p>4 Q. Does the 52, I take it that 52 beds is</p> <p>5 economically feasible to operate?</p> <p>6 A. Those are 52 memory care beds for, it's a</p> <p>7 community that is just for dementia. So when you have a</p> <p>8 community that is just for residents with, with Alzheimer's</p> <p>9 or with dementia, it, it, it helps to have a smaller</p> <p>10 community. It certainly costs more to run that community.</p> <p>11 It costs more for residents to reside in that community and</p> <p>12 it is marginally economically viable.</p> <p>13 MR. GROSSMAN: So what's the smallest facility</p> <p>14 you, you have, what's the most number of beds you have in a</p> <p>15 facility that combines both memory care and non-memory care?</p> <p>16 THE WITNESS: 106.</p> <p>17 MR. GROSSMAN: Okay.</p> <p>18 BY MR. UHRE:</p> <p>19 Q. In the type of client that you're seeking for your</p> <p>20 care, can you tell us a little bit? I noted in some of the</p> <p>21 filings that this is a luxury assisted living center having</p> <p>22 butlers in some instances and other types of services.</p> <p>23 Could you tell me a little bit about the profile of the</p> <p>24 client that you're seeking?</p> <p>25 A. The client is usually average is about 85 or 86.</p>	<p style="text-align: right;">Page 64</p> <p>1 that is highly dependent on what kind of accommodations you</p> <p>2 choose. You can have, you can have a suite, a deluxe suite,</p> <p>3 one bedroom, two bedroom. You can be on the Serenade Unit</p> <p>4 which is the butler, butler unit. You can be in the Memory</p> <p>5 Care Units and have different size rooms as well. It</p> <p>6 depends on how much care you need or how much supportive</p> <p>7 care. So if you're pretty independent, you might be a level</p> <p>8 1 is what we call a minimum supportive services like</p> <p>9 queueing and, and just some general assistance. As you age</p> <p>10 in place and, and perhaps need more services, then we would</p> <p>11 continue to assess you periodically. And if you need now,</p> <p>12 for example, help getting dressed, you need help taking a</p> <p>13 shower, you might be a level 3 or a level 4. And if you</p> <p>14 are, have the beginning signs of, of dementia, and you know,</p> <p>15 dementia is a long, has a long range of, of, of, of, you</p> <p>16 know, involvement and you might be a level 5 or 6 and then</p> <p>17 so you're charged based on that. We, we also charge</p> <p>18 medication rates. If we are, we are administering your</p> <p>19 meds, if we are administering less than seven meds a day,</p> <p>20 it's a basic medication plan. If it's seven or more, it's a</p> <p>21 deluxe medication plan. Or if we were doing insulin and</p> <p>22 things of that sort. It's very much customized to what the</p> <p>23 resident needs. And like, you know, literally we have 100</p> <p>24 year olds dancing around our communities that need very,</p> <p>25 very little services and we may have someone who has</p>
<p style="text-align: right;">Page 63</p> <p>1 Seventy-five percent of our residents are women. Women</p> <p>2 still outlive men by, by a great degree. They are usually</p> <p>3 residents of the community where we've, we've built the</p> <p>4 property. Or their adult children are. So you might have</p> <p>5 a, a couple when they retire decide to go to Arizona or</p> <p>6 Florida. They may spend, you know, their active retirement</p> <p>7 years down there playing golf and, and doing all of the</p> <p>8 things that one might want to do. And then usually when</p> <p>9 they, in their 80s or 90s, they start to need more</p> <p>10 assistance. The adult daughter may call mom and all of a</p> <p>11 sudden, you know, there's, she's not liking the way she</p> <p>12 sounds. She goes down and looks like maybe she's not eating</p> <p>13 properly. And so we provide a situation where mom can</p> <p>14 maintain her independence by living with us in a senior</p> <p>15 living setting. She has her own suite. Her own privacy.</p> <p>16 Her own decisions about when she eats. What she eats. What</p> <p>17 she does with her day. But we are there with the supportive</p> <p>18 services and the engagement that, that is helpful to, to</p> <p>19 have her wake up every morning and look forward to the day.</p> <p>20 Q. What would be the average cost per month for a</p> <p>21 client?</p> <p>22 A. We, we have not set an average cost in, in, in</p> <p>23 this community. I can tell you how we set our costs as do</p> <p>24 most assisted living communities, senior living communities.</p> <p>25 You have a base rate for room and board which would be, and</p>	<p style="text-align: right;">Page 65</p> <p>1 advancing Parkinson's, but does not need to be in a skilled</p> <p>2 nursing community.</p> <p>3 Q. Could you give me a range? The lowest range of</p> <p>4 cost per month and the highest range of cost.</p> <p>5 A. In any of our communities? I would say our lowest</p> <p>6 range per month, lowest range would be \$150 a day. And the</p> <p>7 highest would be over \$300 a day.</p> <p>8 Q. So most of your residents would not be considered</p> <p>9 low income --</p> <p>10 A. No.</p> <p>11 Q. -- or either moderate income. They'd be upper</p> <p>12 income residents?</p> <p>13 A. Well, you know, that's interesting because for</p> <p>14 senior living you don't really pay for senior living with</p> <p>15 your income because most seniors live on Social Security or,</p> <p>16 or a pension, you know, at, at a certain age. You, what</p> <p>17 usually happens with our families is that the home that</p> <p>18 they're living in that maybe they've been living in for 40</p> <p>19 or 50 years and at this point in their lives, they're</p> <p>20 probably just living in a couple of rooms of it because they</p> <p>21 don't want to climb the stairs anymore and they don't use</p> <p>22 the stove anymore. Usually they use the proceeds from</p> <p>23 selling that home to have their new home. To be able to pay</p> <p>24 for their new home. And we are a, a lease model, month by</p> <p>25 month. We don't require a big amount of buy-in when you</p>

<p style="text-align: right;">Page 66</p> <p>1 first move in so it helps them preserve their, their assets 2 and, and have complete choice. If they're not happy, they 3 can move out with 30 days' notice. So it's really the 4 assets that people use to afford their senior years more 5 than it is their income. 6 Q. But this is a for-profit business and it's seeking 7 probably upper level people meeting your age criteria. It's 8 not lower income, Medicare, Medicaid type of services. 9 A. It is private pay and, and the markets that we, we 10 operate in are usually very affluent markets. 11 Q. Okay. Thank you. Shifting for a second to the 12 number of employees, as I understood, or maybe I didn't 13 understand. The, the, did I, the evening shift would have 14 seven employees? Is that what I understood? 15 A. Depends on how many people or how many residents 16 we have, but on your evening shift after dinner and you're 17 say, your dining staff is gone. Your, most, your activity 18 staff is gone. Your housekeepers are gone. And so you're 19 going to have three or four care managers and a couple of 20 nurses in the building. That's pretty much going to be 21 what's in the building at night. 22 Q. So seven would be a reasonable average number 23 then? 24 A. Seven to 10. 25 Q. Seven to 10.</p>	<p style="text-align: right;">Page 68</p> <p>1 sound like a lot to you, but it's because it's a seven day a 2 week operation. 3 Q. Shifting for a second to the bus services that we 4 were talking about and the, there is a bus location located 5 near the Bullis School which is about 1,500 feet away 6 thereabouts from the Brandywine proposed site. 7 A. Right. 8 Q. You're talking about in addition supplying a bus 9 service for anyone that may want to use Metro. Is that what 10 I understood there? 11 A. You know, it depends on what our, our employees, 12 our team members need. So if, if, if say seven or eight are 13 coming in for the day shift and, and they're coming in to 14 the, the Metro, we could, we could go and get them and bring 15 them back. Now I know traffic down here, you know, is 16 challenging and, and I don't know whether our employees 17 would be using the bus, carpooling or using Metro. It'll 18 depend. We'll, we will figure that out as we hire people 19 and see where our workforce is coming from. And our 20 workforce will come fairly locally, but how they will 21 actually get to us will determine and we will help them get 22 to us. We, we would not want our employees walking, you 23 know, on, on a street, you know, without a sidewalk in the 24 dark or in the snow trying to get to a bus. They, you know, 25 we, they work very hard and we'd like, we'll help them get</p>
<p style="text-align: right;">Page 67</p> <p>1 A. Um-hmmm. 2 Q. And then you were talking about a maximum of 40 3 then for the other two shifts. Would that be -- 4 A. No. I, there's, there's no time, there's no whole 5 shift that has 40 people there. It would peak around noon 6 when you have all department, now I'm going to assume all 7 department heads are in and they come in on a staggered 8 shift. Some department heads may come in at 7:00. Some may 9 come in at 8:00. Some at 10:00. Because we want department 10 heads to be there a little bit into the evening through, 11 through dinner. And you've got care managers that are 12 giving care. What we call Escapades for Life staff who are 13 doing activities. The driver is there. Your housekeepers 14 are there. So you've got just about every department 15 staffed up at that point for, for the daytime area. Then at 16 3 o'clock that starts to wane off again. 17 Q. But as I understood you said the total employees 18 would be 110? Is that correct? 19 A. So seven, seven day a week, operation 24 hours a 20 day. So you need 110 people to, to staff that kind of a 21 situation because, you know, during that week you're 22 normally going to have somebody work five days a week. That 23 may be Tuesday through Saturday or Monday through Friday or 24 whatever schedule it is and whatever we need. So that why 25 it sounds like, and it's full- and part-time. So it may</p>	<p style="text-align: right;">Page 69</p> <p>1 there. 2 Q. So you'll do, okay. You do acknowledge the fact 3 that walking along Falls Road would be not the best 4 circumstances for an employee moving from the bus stop down 5 to your site? 6 A. I, I, I would prefer not to have my, my staff 7 doing that. Yeah. 8 Q. Okay. And switching for a second to deliveries. 9 I was trying to understand, I understand I think you said 10 there were three trash and three food deliveries, but the 11 turnover you were talking only about five move ins and five 12 move outs a month. Is that what I understood you to say? 13 A. Right. Uh-huh. Right. 14 Q. But I thought you said you were only at 92 percent 15 occupancy which would suggest something maybe like 10 16 turnovers a month. I'm just trying to understand how, how 17 do those two numbers relate to each other. I -- 18 A. Well, I'm giving you an average of five, four or 19 five move outs and move ins per month. That could be seven 20 or eight. It could be three. It depends on a lot of 21 different things. But I, I said that 92 percent is 22 considered to be the stabilized occupancy of a building. 23 That doesn't mean it's always like that. Sometimes, you 24 know, the building is going to be 95 percent occupied. 25 Other times it's going to be, you know, 90 percent occupied.</p>

<p style="text-align: right;">Page 70</p> <p>1 Q. And the move in and move outs, do they typically 2 use a moving truck to then come and they would use the 3 loading dock? Is that the, on this particular side. Is 4 that how the --</p> <p>5 A. The, the, the, the move, the move outs are usually 6 because they need a higher level of care. So they need to 7 move to a skilled nursing environment. So that's usually 8 by, you know, a medical transport. And in this case, 9 they'll probably be going next door to Manor Care. Move 10 ins, many times either we're supplying the furniture or 11 they're family comes and moves them in and they would bring 12 them in through the side door. Sometimes through the front 13 door. It depends on, on what they're moving in.</p> <p>14 Q. Okay. Turning for a second to the master plan. 15 You gave a statement and I'll ask the question what exactly 16 did you say about senior living in the Potomac Master Plan?</p> <p>17 A. The Potomac Master Plan, and I don't have it here 18 in front of me, does address the need for senior living 19 units in the area. And I think, if I recall, the number was 20 a need for about 750. Now there have been a couple that 21 have been built since then, since the Master Plan came 22 about, but I believe there still a shortage of 200 to 300 23 units needed in this, in, in the Potomac area.</p> <p>24 Q. But doesn't the Master Plan suggest senior, it 25 doesn't, it's not speaking about assisted living facilities</p>	<p style="text-align: right;">Page 72</p> <p>1 Master Plan says a reasonable target might be a target of 40 2 units per year?</p> <p>3 THE WITNESS: Thank you.</p> <p>4 MR. GROSSMAN: Let the record reflect that counsel 5 is providing the witness with a copy, I presume, of the 6 quotes from the Master Plan.</p> <p>7 MS. GIRARD: The relevant sections. Yes.</p> <p>8 MR. GROSSMAN: Okay.</p> <p>9 BY MR. UHRE:</p> <p>10 Q. This would be the first sentence on page 38. 11 A. Okay. So I'm reading prior to that that at the, 12 at the time that the plan was done, 450, the, the community 13 was 450 units short of this demand and that will increase 14 significantly by 2020. By, over the next 20 years, 750 15 units will be needed. Okay. So then on the top, a 16 reasonable senior housing target for the subregion for the 17 next 10 to 15 years might be an average of 40 units per year 18 that will probably be built in larger increments every few 19 years. Is that --</p> <p>20 Q. Correct. That's correct.</p> <p>21 A. Okay.</p> <p>22 MR. GROSSMAN: I mean, Mr. Uhre, the Master Plan 23 speaks for itself on this.</p> <p>24 MR. UHRE: Okay.</p> <p>25 MR. GROSSMAN: I'm not sure what purpose --</p>
<p style="text-align: right;">Page 71</p> <p>1 or even any assisted kind of care facility. It's talking 2 about an overall need for senior care, including totally 3 unassisted apartment living or, or adult living. It, it --</p> <p>4 MR. GROSSMAN: Are you asking the witness whether 5 that's what it says?</p> <p>6 BY MR. UHRE:</p> <p>7 Q. Yeah, I'm asking whether that's her 8 interpretation. I mean you're, you're saying, you've quoted 9 this number, but are you saying that you think the Master 10 Plan says that those number of units are all assisted in 11 some way, shape or form?</p> <p>12 A. No. I believe that senior housing can be in many 13 forms. You know, whether it's independent living or it's 14 living, you know, in, in an assisted living community. You 15 need housing for seniors. And that's what we do.</p> <p>16 MR. GROSSMAN: Just for the record, the reference 17 in the Master Plan in question, which is the Potomac 18 Subregion Master Plan approved and adopted April 2002 19 discusses housing for the elderly on page 36. Also goes 20 over to page 38.</p> <p>21 BY MR. UHRE:</p> <p>22 Q. Have you reviewed the Master Plan? Have you read 23 the entirety of the Master Plan on elderly care?</p> <p>24 A. I have read sections of the Master Plan. Yes.</p> <p>25 Q. Okay. So you're also aware that on page 38, the</p>	<p style="text-align: right;">Page 73</p> <p>1 MR. UHRE: I think you're --</p> <p>2 MR. GROSSMAN: -- discussing this with this 3 witness as to what it says.</p> <p>4 MR. UHRE: I think you're correct. I have no more 5 questions.</p> <p>6 MR. GROSSMAN: All right. Mr. Chen, do you have 7 any questions?</p> <p>8 MR. CHEN: Yes. I have a few.</p> <p>9 CROSS-EXAMINATION</p> <p>10 BY MR. CHEN:</p> <p>11 Q. Has anybody died at this facility? 12 A. People, yes, do die of old age. Yes.</p> <p>13 Q. Residents of the facilities that you operate? 14 A. They, yes. Just like someone may pass at home. 15 They would, they, this is their home so they could, yes.</p> <p>16 Q. How often does that occur? 17 A. How often does it occur?</p> <p>18 MR. GROSSMAN: Well, what's the point of that 19 question?</p> <p>20 MS. GIRARD: Right.</p> <p>21 MR. CHEN: I want to know where they come in and 22 out. Where they take the bodies?</p> <p>23 BY MR. CHEN:</p> <p>24 Q. Do they come through the lobby? 25 MR. KAUFMAN: I object to the --</p>

<p style="text-align: right;">Page 74</p> <p>1 MS. GIRARD: I --</p> <p>2 MR. GROSSMAN: I just think that it's not a --</p> <p>3 MR. CHEN: I beg, I beg your pardon.</p> <p>4 MR. GROSSMAN: I just think it's not a legitimate</p> <p>5 --</p> <p>6 MR. KAUFMAN: We object to this question.</p> <p>7 MR. CHEN: Well, this question is relevant. It</p> <p>8 goes to the activities on the site. My clients live at the</p> <p>9 delivery point. Now are they bringing the gurney in through</p> <p>10 the front door? They're taking the elevator. Or are they</p> <p>11 bringing the ambulance down the side of the service road and</p> <p>12 taking the gurney out into --</p> <p>13 MR. GROSSMAN: I think it's a real stretch. I'm</p> <p>14 going to let you ask the question, but I think it's a real</p> <p>15 stretch.</p> <p>16 BY MR. CHEN:</p> <p>17 Q. I just want to know how often do you have deaths</p> <p>18 at this, this facility.</p> <p>19 A. I really can't predict how often deaths occur. We</p> <p>20 can go months without a death and then we can, you know,</p> <p>21 have two or three in a month. We certainly, with all</p> <p>22 respect to the family and, and to the residents, the funeral</p> <p>23 home will usually come and it's a very discreet process.</p> <p>24 Q. So they use the, the side entrance?</p> <p>25 A. Mostly. Yes. Um-hmmm.</p>	<p style="text-align: right;">Page 76</p> <p>1 is south on the top of the exhibit, is what you're saying</p> <p>2 essentially?</p> <p>3 MS. GIRARD: Yes.</p> <p>4 MR. GROSSMAN: Okay. So --</p> <p>5 MR. CHEN: Excuse me. I thought the record was</p> <p>6 that my client's residence is due west.</p> <p>7 MR. GROSSMAN: Yes. I think that's the case.</p> <p>8 MS. GIRARD: It is. You're flipped upside down.</p> <p>9 MR. GROSSMAN: It's upside down.</p> <p>10 THE WITNESS: This is the client, it is your</p> <p>11 client's residence.</p> <p>12 MR. GROSSMAN: The, the, for some reason the</p> <p>13 applicant's people have a fondness for upside down exhibits.</p> <p>14 From the --</p> <p>15 MS. GIRARD: And they will defend themselves, but</p> <p>16 --</p> <p>17 MR. GROSSMAN: Of the, of the, as the common</p> <p>18 parlance is usually we look to the north as being on top.</p> <p>19 So we'll have to adjust our brains to that. But I just want</p> <p>20 to make sure that the, that it, the record is clear as to</p> <p>21 where the witness is indicating. So Ms. Bacon, would you</p> <p>22 indicate where you were pointing and, and as to what --</p> <p>23 THE WITNESS: So this is our community here.</p> <p>24 MR. GROSSMAN: Okay.</p> <p>25 THE WITNESS: Our proposed community. This is</p>
<p style="text-align: right;">Page 75</p> <p>1 Q. Okay. So they're not, they're going to be using</p> <p>2 the service drive on this particular facility?</p> <p>3 A. The service drive that would be probably that door</p> <p>4 is right there.</p> <p>5 Q. Yes.</p> <p>6 A. Okay. So --</p> <p>7 MR. GROSSMAN: Right. So the witness --</p> <p>8 THE WITNESS: -- but that's screened all through</p> <p>9 there. The Pauls' house is, Dr. and Mrs. Paul's house is</p> <p>10 here. So if that would occur --</p> <p>11 MR. GROSSMAN: Ms. Bacon, let, let, you have to</p> <p>12 identify for the record --</p> <p>13 THE WITNESS: Oh, I'm sorry.</p> <p>14 MR. GROSSMAN: Where you're pointing to because</p> <p>15 the, the record won't indicate where specifically you think</p> <p>16 --</p> <p>17 MS. GIRARD: And she's referring to Exhibit 75 B.</p> <p>18 THE WITNESS: Exhibit 75 B. This is, this would</p> <p>19 be our community. This is the Manor Care. This is the</p> <p>20 Pauls' --</p> <p>21 MR. GROSSMAN: Hold on one second. Where is,</p> <p>22 where is north on this exhibit?</p> <p>23 MS. GIRARD: You're facing south. So north is</p> <p>24 towards you.</p> <p>25 MR. GROSSMAN: Wait a minute. So on the exhibit,</p>	<p style="text-align: right;">Page 77</p> <p>1 where the tennis club is currently.</p> <p>2 MR. GROSSMAN: And this is the rendered aerial.</p> <p>3 THE WITNESS: Yes.</p> <p>4 MR. GROSSMAN: That is that the, I presume, by</p> <p>5 rendered aerial what you mean is that you've taken an aerial</p> <p>6 photograph and then added the picture of what you intend as</p> <p>7 the proposed use.</p> <p>8 MS. GIRARD: Correct.</p> <p>9 THE WITNESS: That's --</p> <p>10 MR. GROSSMAN: Including its proposed landscaping.</p> <p>11 MS. GIRARD: Correct.</p> <p>12 THE WITNESS: Um-hmmm.</p> <p>13 MR. GROSSMAN: Okay. And now you're pointing, go</p> <p>14 ahead to --</p> <p>15 THE WITNESS: This is the side driveway.</p> <p>16 MR. GROSSMAN: All right. And --</p> <p>17 THE WITNESS: Which if you continue this driveway</p> <p>18 --</p> <p>19 MR. GROSSMAN: And that's on the southern side of</p> <p>20 the, of the property.</p> <p>21 MS. GIRARD: Yes.</p> <p>22 MR. GROSSMAN: From what has been described.</p> <p>23 THE WITNESS: Okay. Yes. So the driveway goes,</p> <p>24 it ends here and turns around. And this is screened. But</p> <p>25 if the driveway were to just continue, it would go, as you</p>

<p style="text-align: right;">Page 78</p> <p>1 can see, kind of straight out into here.</p> <p>2 MR. GROSSMAN: Okay. Into here being across --</p> <p>3 THE WITNESS: And here into --</p> <p>4 MR. GROSSMAN: -- towards the west, northwest.</p> <p>5 THE WITNESS: Um-hmmm. Into the woods, not, not</p> <p>6 to the, not to the Pauls' house.</p> <p>7 MR. GROSSMAN: Okay.</p> <p>8 MS. GIRARD: And your point was that the loading,</p> <p>9 I think we --</p> <p>10 MR. KAUFMAN: Where's the loading dock?</p> <p>11 MS. GIRARD: Where the loading dock --</p> <p>12 THE WITNESS: Right here.</p> <p>13 BY MR. CHEN:</p> <p>14 Q. And that would be the location for the ambulance</p> <p>15 to come for the party who has passed?</p> <p>16 A. Most likely.</p> <p>17 Q. Now is your testimony all these trees that are</p> <p>18 shown on this Exhibit 75 B are in place?</p> <p>19 A. No. We will add some of those trees. There,</p> <p>20 there are, there are significant trees there now, but we're</p> <p>21 going to add a lot of trees. We always heavily landscape</p> <p>22 our properties.</p> <p>23 Q. And are the, do you know the size of these trees</p> <p>24 that are shown on your exhibit?</p> <p>25 A. I do not, but I'm sure one of our, our architect</p>	<p style="text-align: right;">Page 80</p> <p>1 BY MR. CHEN:</p> <p>2 Q. Do you know the size of the landscaping that'll be</p> <p>3 planted in that area?</p> <p>4 MS. GIRARD: He, he just asked that question.</p> <p>5 MR. CHEN: No, I didn't. I asked the species.</p> <p>6 MR. GROSSMAN: Right.</p> <p>7 MR. CHEN: I didn't ask size.</p> <p>8 MR. GROSSMAN: No. You asked the size. Earlier</p> <p>9 you asked the size.</p> <p>10 MS. GIRARD: You asked the size. Yeah.</p> <p>11 MR. CHEN: I didn't get an answer.</p> <p>12 MR. GROSSMAN: She was --</p> <p>13 THE WITNESS: Yeah.</p> <p>14 MR. CHEN: Okay.</p> <p>15 MR. GROSSMAN: But you can certainly ask that, I</p> <p>16 think it's a legitimate, very legitimate question, but I</p> <p>17 think this witness may not have that answer.</p> <p>18 MR. CHEN: That's what I'm trying to establish.</p> <p>19 MR. GROSSMAN: Right. Right. I, it's very --</p> <p>20 BY MR. CHEN:</p> <p>21 Q. You don't, you don't know. Is that right, ma'am?</p> <p>22 A. I do not know, I cannot give you the species and</p> <p>23 the size. I can tell you that we spent a considerable</p> <p>24 amount of time talking about it. As we do with all of our</p> <p>25 properties to make sure that we're heavily screened. Um-</p>
<p style="text-align: right;">Page 79</p> <p>1 or landscape engineer can give you that.</p> <p>2 Q. Do you know the type of trees that, that are going</p> <p>3 to be planted?</p> <p>4 A. I can't give you every species, but there will be</p> <p>5 evergreens as well as, as other types of trees.</p> <p>6 Q. Do you know what species of trees will be planted</p> <p>7 along the driveway between my clients' property and the</p> <p>8 building?</p> <p>9 A. Well, your clients' property is here and here's</p> <p>10 the building.</p> <p>11 MR. GROSSMAN: That's --</p> <p>12 THE WITNESS: So this area right here.</p> <p>13 MR. GROSSMAN: -- pointing due west, due west of</p> <p>14 the, of the facility.</p> <p>15 THE WITNESS: Due west of the facility. So right</p> <p>16 here we can certainly have one of our experts testify as to</p> <p>17 the species and size of those trees.</p> <p>18 MR. GROSSMAN: Right here being, right, just so</p> <p>19 the record is clear.</p> <p>20 THE WITNESS: Personally, yeah --</p> <p>21 MR. GROSSMAN: Right here being the location</p> <p>22 between the, the, the property, the subject property and the</p> <p>23 Pauls' residence.</p> <p>24 THE WITNESS: Right. I don't have that in front</p> <p>25 of me. No, sir, Mr. Chen.</p>	<p style="text-align: right;">Page 81</p> <p>1 hmmm.</p> <p>2 Q. Okay. Just that you don't know.</p> <p>3 MR. KAUFMAN: I don't know.</p> <p>4 BY MR. CHEN:</p> <p>5 Q. I, I mean is there a reason why you can say you</p> <p>6 don't know?</p> <p>7 MR. GROSSMAN: She said she doesn't know the size</p> <p>8 and the species, but she knows that it's heavily screened.</p> <p>9 That's what she said.</p> <p>10 MR. KAUFMAN: She, she didn't use those words.</p> <p>11 MR. CHEN: That's okay.</p> <p>12 MR. KAUFMAN: You can't answer for her, Mr. Chen.</p> <p>13 BY MR. CHEN:</p> <p>14 Q. Move in and move outs. Where does, how do they</p> <p>15 move in? What location?</p> <p>16 A. What door do they enter?</p> <p>17 Q. Yes, ma'am.</p> <p>18 A. They usually move in through the front door.</p> <p>19 Q. And the side entrance is used for deliveries?</p> <p>20 A. For the large deliveries, yes.</p> <p>21 Q. Okay. When you say move in and moves out are</p> <p>22 usually front doors, I take it that means not all move ins</p> <p>23 and move outs go, use the front door.</p> <p>24 A. Well, I think you've referred to someone who may</p> <p>25 pass away. And that is --</p>

<p style="text-align: right;">Page 82</p> <p>1 MR. GROSSMAN: No, I think he's talking about --</p> <p>2 THE WITNESS: Just, just people moving in and out.</p> <p>3 They will use the front door.</p> <p>4 BY MR. CHEN:</p> <p>5 Q. Exclusively.</p> <p>6 A. Yes.</p> <p>7 Q. Okay.</p> <p>8 A. That's been our, that's been our pattern. Yes.</p> <p>9 Q. And the deliveries. Please identify all the</p> <p>10 deliveries that'll be coming to the site using the service</p> <p>11 drive.</p> <p>12 A. The service drive will probably only have large</p> <p>13 food deliveries that, that come in that drive because they</p> <p>14 need to go into the storage area and into the freezer. The</p> <p>15 normal deliveries, like I said, like mail or Fed Ex or</p> <p>16 things that would be delivered by a panel truck, it could</p> <p>17 even be something from Amazon Prime, would come in the front</p> <p>18 door.</p> <p>19 Q. When you say large food deliveries, what do you</p> <p>20 mean by that?</p> <p>21 A. We have food delivery three times a week.</p> <p>22 Sometimes, depending on what they're delivering, it can be</p> <p>23 in a panel truck. Sometimes it's a little larger. It's</p> <p>24 unloaded and out of there probably within 20 minutes or so.</p> <p>25 So, so 20 minutes three times a week.</p>	<p style="text-align: right;">Page 84</p> <p>1 A. I believe the walk-in freezer is on the lower</p> <p>2 level. There, there is a freezer upstairs in the kitchen as</p> <p>3 well, but the storage, walk-in freezer, I believe is on the</p> <p>4 lower level.</p> <p>5 Q. Okay. Now I take it your testimony is that is the</p> <p>6 only delivery that'll be utilizing the service road?</p> <p>7 A. I would say yes. Even when we bring in the</p> <p>8 furniture when we initially furnish the building, we come in</p> <p>9 the front door.</p> <p>10 Q. And what times during the week do they come?</p> <p>11 A. Food delivery?</p> <p>12 Q. Yes, ma'am.</p> <p>13 A. It would be by, by agreement between 7:00 a.m. to</p> <p>14 7:00 p.m.</p> <p>15 Q. Okay. And are there any occasions for an</p> <p>16 ambulance to utilize the service road other than people</p> <p>17 passing?</p> <p>18 A. Really. If we have a true 9-1-1- situation. You</p> <p>19 know. An ambulance would respond just like they would</p> <p>20 respond to your home. But that's, that's a very rare</p> <p>21 situation.</p> <p>22 Q. Do you have any information about how often you</p> <p>23 have a 9-1-1- situation?</p> <p>24 A. I don't have a stat for you, but I could, I could</p> <p>25 probably get that. But it's rare. It's, it's, most of our</p>
<p style="text-align: right;">Page 83</p> <p>1 Q. And when you say large, what do you mean by that?</p> <p>2 A. It depends on the size of the food delivery.</p> <p>3 Q. What the largest truck that'll come down and use</p> <p>4 that area?</p> <p>5 A. Certainly not, and, and, you're, I can't describe,</p> <p>6 I don't know how to describe the size of trucks. Certainly</p> <p>7 not the big 18 wheelers that you see on a highway. Nothing</p> <p>8 like that.</p> <p>9 Q. And they, they will be putting the food into a</p> <p>10 storage area that's, I take that's Terrace Level? Is that</p> <p>11 considered at Terrace Level? I may be mistaken. I'm just</p> <p>12 --</p> <p>13 A. Terrace Level is on the other side of the building</p> <p>14 here.</p> <p>15 Q. What level --</p> <p>16 MR. GROSSMAN: On the north side of the building?</p> <p>17 THE WITNESS: Yes. On the north side of the</p> <p>18 building.</p> <p>19 BY MR. CHEN:</p> <p>20 Q. What level will they be delivering the food to?</p> <p>21 A. They will be delivering the food in the loading</p> <p>22 dock and it'll go into the storage. That's on the lower</p> <p>23 level.</p> <p>24 Q. Thank you very much. And that's where, I take it</p> <p>25 that's where the freezer is as well?</p>	<p style="text-align: right;">Page 85</p> <p>1 residents, because we have a nurse on-site 24 hours a day,</p> <p>2 we, if we have a transport to the hotel, I mean to the</p> <p>3 hospital, it's usually a non-emergent transport. We, we</p> <p>4 have a contract with an emergent, with a transport company,</p> <p>5 healthcare transport company that will take our residents to</p> <p>6 the hospital if they need to. We will take them. It's only</p> <p>7 when you've got a true 9-1-1- situation. I would say, and</p> <p>8 I've thought, you know, I, I, we talked to our local fire</p> <p>9 and emergency companies when we enter a community and talk</p> <p>10 to them about that and they check with other companies and</p> <p>11 we have a very rare call to 9-1-1-.</p> <p>12 Q. You gave us a lot of information about your</p> <p>13 business and the locations and number and types. Am I</p> <p>14 correct that notwithstanding how extensive your operation</p> <p>15 is, you cannot provide any statistical information based</p> <p>16 upon your experience, your business experience as to people</p> <p>17 passing. How often that occurs and how often you have</p> <p>18 ambulances coming to the site?</p> <p>19 A. I can't predict when people will pass. I can give</p> <p>20 you an average of people that we, we lose, that lived with</p> <p>21 us so long that they pass away when they're living with us.</p> <p>22 And no, I cannot give you, I don't want to give you false</p> <p>23 information, Mr. Chen, about, or guesswork about the</p> <p>24 incidence of ambulance. I can just tell, of a 9-1-1- call.</p> <p>25 I can tell you it's rare.</p>

<p style="text-align: right;">Page 86</p> <p>1 Q. Okay. You mentioned also, excuse me, I think you 2 said you have an average. Did I mishear that? But you used 3 the word average a moment ago. 4 A. I, I could, I could go back and look at data and, 5 and come up with an average for you across 27 different 6 communities of people who have passed in the past year. I, 7 I, you know, over 27 locations, if you, you would want that 8 data. 9 Q. What percentage of this facility will house, 10 excuse me, will have people with dementia? 11 A. I believe we have 30, somewhere between 30 and 35 12 units that will be for people with various stages of 13 dementia, which usually means they, they need to be in a 14 secured environment so that they can be redirected as 15 needed. 16 Q. You'd provide round the clock service for those 17 people. Is that correct? 18 A. Absolutely. 19 Q. Is there any limitation on visiting by family or 20 friends? 21 A. We, we have a concierge on our front desk from 22 8:00 a.m. to 8:00 p.m. so we encourage visiting during that 23 time. If there were a family member that wanted to come see 24 their mom because they just got in at, just got off the 25 plane at 10 o'clock at night they would, our doors would be</p>	<p style="text-align: right;">Page 88</p> <p>1 hospital. 2 Q. Okay. Is the family notified? 3 A. Absolutely. 4 Q. So that, as I understand your procedure, you 5 would, making two contacts. One would be to the physician 6 that would be that resident's physician and a family member 7 or a guardian, I assume, member. Is that correct? 8 A. Yes. 9 Q. Okay. And as I understand your testimony, if 10 there's a need to transport the resident to a hospital, you 11 have an ambulance service on, on contract? 12 A. Yes. 13 Q. By the same token, are there occasions when the 14 physician and/or the family come to the facility? 15 A. At 10 o'clock at night? Is that what you're 16 asking me? 17 Q. Yeah. If there's a, if there's a medical 18 incident. Yes. 19 A. Could the family want to come and accompany mom to 20 the, to the hospital? Yes. That, that can happen. 21 Q. Do you have -- 22 A. Usually the family meets, meets their parent at 23 the hospital. They're headed, you know, from their home to 24 the hospital as we're headed. 25 Q. And are there occasions when the physician may</p>
<p style="text-align: right;">Page 87</p> <p>1 locked, but they could call ahead and speak to our nursing 2 supervisor and she would let them in. 3 Q. What is the routine or the procedure that is 4 utilized if someone requires medical care? 5 A. Depends on what kind of medical care, but the way 6 we do this is that we work with local hospital systems and 7 physicians come and visit our residents on-site. They're, 8 they have private physicians, but we provide a, a medical 9 exam room in our buildings so that the residents can have 10 their privacy to see their physician in, in our community if 11 they want to or they can go out to the doctor as they want 12 to. So it's, it's very much still a very private 13 relationship between the resident and their personal 14 physician. 15 Q. What if there's an incident, a medical incident 16 that is not a, a planned appointment? Someone who needs a 17 physician's care say at 10 o'clock at night. What is the 18 procedure when that happens? 19 A. The procedure is that the nurse on duty would, 20 would be aware of the situation, would call the physician 21 and, and, and reach him. The physician would give, you 22 know, instruction like change her medication, stop the 23 medication, come see me in the morning or if he said, you 24 know, I think you need to take her to the hospital, we would 25 call the medical transport, not a 9-1-1-, and get her to the</p>	<p style="text-align: right;">Page 89</p> <p>1 choose to come to the facility rather than have the resident 2 transported to a hospital? 3 A. I would love to find physicians that would at 10 4 o'clock at night come to our community or come to your home. 5 But they're, they're rare. 6 Q. Okay. 7 MR. GROSSMAN: Ms. Bacon, when the, when your 8 privately contracted ambulance comes, does it use the front 9 door or the side door? 10 THE WITNESS: Front door. 11 MR. GROSSMAN: Okay. 12 BY MR. CHEN: 13 Q. Okay. My train of thought just got interrupted, 14 but so that as I understand your testimony, the loading dock 15 would only be used, it would be, the word I'll use is 16 exclusively used for food deliveries, large food deliveries. 17 MS. GIRARD: This has been asked and answered at 18 least three times since -- 19 MR. GROSSMAN: Yes. I sustain that objection. 20 BY MR. CHEN: 21 Q. Are there any other uses for the loading dock 22 other than for food deliveries? 23 MR. GROSSMAN: It's the same question. 24 MS. GIRARD: It is the same. 25 MR. CHEN: No, it isn't the same.</p>

<p style="text-align: right;">Page 90</p> <p>1 MR. GROSSMAN: I think she's, well, all right.</p> <p>2 I'll let her ask. Are there any other uses for the loading</p> <p>3 dock other than food deliveries?</p> <p>4 THE WITNESS: No.</p> <p>5 MR. GROSSMAN: Okay.</p> <p>6 BY MR. CHEN:</p> <p>7 Q. Okay. Now aside from the food deliveries, as I</p> <p>8 understand it, the service drive would be utilized for trash</p> <p>9 pickups. Is that right?</p> <p>10 A. That's right.</p> <p>11 Q. How does that operate?</p> <p>12 A. Trash is picked up three times a week.</p> <p>13 Q. When?</p> <p>14 A. Sometime between 7:00 a.m. and 7:00 p.m.</p> <p>15 Q. And --</p> <p>16 MR. GROSSMAN: Is that timeframe agreeable with</p> <p>17 you if this conditional use were approved?</p> <p>18 MR. CHEN: I don't know.</p> <p>19 MR. GROSSMAN: All right. Go ahead then.</p> <p>20 MR. CHEN: I don't know. I mean you're asking me</p> <p>21 a question in the middle of a hearing and, you know, I'm not</p> <p>22 prepared to, to give you an answer to that question.</p> <p>23 MR. GROSSMAN: It's up to you.</p> <p>24 MR. CHEN: Thank you. I may before we're done.</p> <p>25 I'm just at, you know, at 11:30 --</p>	<p style="text-align: right;">Page 92</p> <p>1 Q. Okay. Thank you. That, that does help. Let's go</p> <p>2 back to the service drive. I think we were, before I was</p> <p>3 interrupted by the Examiner, talking --</p> <p>4 MR. GROSSMAN: RHIP.</p> <p>5 BY MR. CHEN:</p> <p>6 Q. I think I was talking about trash trucks and I,</p> <p>7 and I apologize if I'm repetitive, but I just want some,</p> <p>8 some clarity on it. You said that there would be three</p> <p>9 times a week a trash pickup would occur. And it would be</p> <p>10 between the hours of 7:00 a.m. and 7:00 p.m. Correct?</p> <p>11 A. Yes.</p> <p>12 Q. And I take it that between pickups, trash would be</p> <p>13 kept in the trash enclosure area that's identified on the</p> <p>14 plan. Is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. What, if you know, and again, I'm, maybe this is</p> <p>17 not your area, but you were offered for operations. What</p> <p>18 will be, what will that physically consist of? That trash</p> <p>19 enclosure area. I think that's the terminology you use on</p> <p>20 the plan so I just need --</p> <p>21 A. I, I think our architect and engineers can</p> <p>22 probably testify to the, you know, specific dimensions and</p> <p>23 attributes, but in all of our buildings, we have a, a</p> <p>24 screened trash enclosure area, you know, with, the dumpsters</p> <p>25 are closed. We, that area is kept very clean and we don't</p>
<p style="text-align: right;">Page 91</p> <p>1 MR. GROSSMAN: I said it's up to you.</p> <p>2 MR. CHEN: -- at 11:30 in the middle of cross-</p> <p>3 examination, I'm not prepared to make --</p> <p>4 MR. GROSSMAN: Do you have, you said in the</p> <p>5 middle. I have to give the people here a break, a morning</p> <p>6 break. How much longer do you think, I was hoping to finish</p> <p>7 this witness, first, but how much longer do you think your</p> <p>8 cross-examination would be?</p> <p>9 MR. CHEN: I haven't gotten to my notes yet.</p> <p>10 MR. GROSSMAN: Okay. Well, then let's take that</p> <p>11 morning break now and come back at 11:40, at least on that</p> <p>12 clock. Yes. That's about right.</p> <p>13 (Off the record.)</p> <p>14 (Off the record discussion.)</p> <p>15 (On the record.)</p> <p>16 MR. GROSSMAN: All right. Everybody is ready.</p> <p>17 Let's go back on the record.</p> <p>18 Mr. Chen, you were in your cross-examination.</p> <p>19 BY MR. CHEN:</p> <p>20 Q. Ms. Bacon, just, maybe this may save a little bit</p> <p>21 of time. I'm hoping that. I take it as far as the</p> <p>22 buffering and the lighting on that service area near my</p> <p>23 client's property, there will be another witness that'll be</p> <p>24 addressing those matters?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 93</p> <p>1 have any problems with it. It is very routine. It's very</p> <p>2 well designed and, and routine.</p> <p>3 Q. How large, do you know the size of the dumpsters?</p> <p>4 A. I do not.</p> <p>5 Q. Okay. So as I understand your testimony, the</p> <p>6 service drive, is that acceptable or accurate terminology?</p> <p>7 I've used the word service drive. I've seen that somebody</p> <p>8 puts it as service alley. What would be the proper word to</p> <p>9 use?</p> <p>10 A. I, I don't know your definition between a drive</p> <p>11 and an alley. It's --</p> <p>12 Q. I apologize. I've seen the word literally alley</p> <p>13 was used. I, I'm not springing a word on you.</p> <p>14 A. Right.</p> <p>15 Q. I just want to get the right terminology.</p> <p>16 A. I think service drive is fine.</p> <p>17 Q. Okay. Thank you. Okay. So, as I understand your</p> <p>18 testimony, and where I'm going so you understand, is I'm</p> <p>19 trying to get a good understanding of the use for the</p> <p>20 service drive.</p> <p>21 A. Um-hmmm.</p> <p>22 Q. And you told us that it would be used for the food</p> <p>23 deliveries that you've described and the trash pickups that</p> <p>24 you've described. I think you said there might be occasions</p> <p>25 that, you don't have any numbers, but there may be occasions</p>

<p style="text-align: right;">Page 94</p> <p>1 when an ambulance would be using it as well. Correct?</p> <p>2 A. A, an ambulance to take someone to the hospital or</p> <p>3 when we have a, when we lose someone. Is that what you're</p> <p>4 talking about?</p> <p>5 Q. Yes. I think you've described that.</p> <p>6 A. Well, you know, we have an underground garage also</p> <p>7 in, in this, in the design of this building. And so, you</p> <p>8 know, there would be occasion when we might have, you know,</p> <p>9 have something happen inside in the underground garage in</p> <p>10 terms of that. Like, for example, if it was, I can think of</p> <p>11 one thing. Say we were preparing for a big snowstorm or</p> <p>12 blizzard and we wanted to keep a lot of salt on property.</p> <p>13 We might store that downstairs in the garage and that might</p> <p>14 get delivered through the side door.</p> <p>15 Q. And I take it an ambulance would be able to enter</p> <p>16 that area if, if necessary if someone passed or some other</p> <p>17 medical situation.</p> <p>18 A. And, and usually if there's a situation where</p> <p>19 someone has passed, it's not an ambulance with the lights</p> <p>20 and, you know, and noise going on. It's, it's a medical</p> <p>21 transport situation.</p> <p>22 Q. Now other than those three types of use though,</p> <p>23 what other use will there be for the service drive?</p> <p>24 A. If there, I, I guess for a fire lane if there were</p> <p>25 a fire.</p>	<p style="text-align: right;">Page 96</p> <p>1 there's some that have been described in the papers that</p> <p>2 have been filed and, and I can talk and ask you about them,</p> <p>3 but I'm going to get to the point where I'm going to say</p> <p>4 other than this, what other uses will the service drive be</p> <p>5 there for or accommodated for. Okay. But let's, let's just</p> <p>6 now talk about the employees. They will be using the</p> <p>7 service drive for their vehicles to get to the indoor</p> <p>8 parking area. Is that correct?</p> <p>9 A. If they, if they use the indoor parking area.</p> <p>10 We've got extensive parking out here as well.</p> <p>11 MR. GROSSMAN: Out here being on the --</p> <p>12 MS. GIRARD: Oh, here.</p> <p>13 MR. GROSSMAN: -- eastern side of the facility.</p> <p>14 THE WITNESS: On the eastern side of the facility</p> <p>15 in the front of the community is parking.</p> <p>16 BY MR. CHEN:</p> <p>17 Q. How many indoor parking spaces are there?</p> <p>18 A. You know, we can have our parking and traffic</p> <p>19 experts and engineers testify to, to, to how many spots are</p> <p>20 underground, how many spots are above ground. I would be</p> <p>21 more comfortable if they did that.</p> <p>22 Q. Okay. But you do in have indoor parking for your</p> <p>23 employees?</p> <p>24 A. We have a few spaces of indoor parking. Yes.</p> <p>25 Q. Okay. Whatever number it is, we'll hear from</p>
<p style="text-align: right;">Page 95</p> <p>1 Q. Any other use?</p> <p>2 A. Not that I can recall.</p> <p>3 Q. How about employees?</p> <p>4 A. Employees would not normally use that. If they,</p> <p>5 if, you know, the, the entrance to the underground garage.</p> <p>6 They, if they were parking in the, in the, in the garage</p> <p>7 would use it, but not, not normally. There would be no</p> <p>8 reason for them to. I mean they won't be delivering product</p> <p>9 to the building.</p> <p>10 Q. No, no. I'm, I'm not talking about delivering</p> <p>11 product. I'm talking about the use of the service drive.</p> <p>12 You know, I, I assume that aside from what we've been</p> <p>13 through already, that your employees would use the service</p> <p>14 drive also to go to the parking.</p> <p>15 A. To go to the parking.</p> <p>16 Q. Yeah.</p> <p>17 A. To go to the underground parking.</p> <p>18 Q. Yeah.</p> <p>19 A. Yes.</p> <p>20 Q. Okay. Please I'm, just --</p> <p>21 A. That, that doesn't go all the way back to where, I</p> <p>22 think I was focusing on where you were talking about with</p> <p>23 the trash and whatever.</p> <p>24 Q. Just so we're clear, I'm trying to understand all</p> <p>25 activity that'll occur in the service drive. You know, I'm,</p>	<p style="text-align: right;">Page 97</p> <p>1 somebody else, but what --</p> <p>2 A. You will.</p> <p>3 Q. Whatever the number is the service drive will be</p> <p>4 used for those employees who would use the --</p> <p>5 A. Could be.</p> <p>6 Q. Let me, please.</p> <p>7 A. I'm sorry.</p> <p>8 MR. GROSSMAN: Let him finish. Let him finish the</p> <p>9 sentence.</p> <p>10 BY MR. CHEN:</p> <p>11 Q. There is indoor parking available for employees.</p> <p>12 Is that correct?</p> <p>13 A. That is correct.</p> <p>14 Q. Okay. Accordingly, the employees that'll be using</p> <p>15 indoor parking will use the service drive to get to those</p> <p>16 indoor parking spaces.</p> <p>17 A. That's correct.</p> <p>18 MR. GROSSMAN: Ms. Bacon.</p> <p>19 THE WITNESS: Um-hmmm.</p> <p>20 MR. GROSSMAN: Where on the facility is the</p> <p>21 entrance to the indoor parking?</p> <p>22 THE WITNESS: Can you all look for me? Is it</p> <p>23 right here?</p> <p>24 MR. GROSSMAN: It's about halfway down the access</p> <p>25 drive? Well, no, he can't help you --</p>

<p style="text-align: right;">Page 98</p> <p>1 MS. GIRARD: Correct.</p> <p>2 MR. GROSSMAN: Just, just testify as to what you</p> <p>3 know. If you don't know, just say so.</p> <p>4 THE WITNESS: I believe, I believe it's right in</p> <p>5 here. And I believe --</p> <p>6 MR. GROSSMAN: Okay. So it's in the southern</p> <p>7 side. It's not all the way down at the end --</p> <p>8 THE WITNESS: No.</p> <p>9 MR. GROSSMAN: -- of the, of the access drive.</p> <p>10 THE WITNESS: No, the only, exactly. The only</p> <p>11 thing that comes all the way down here. The trash truck</p> <p>12 would come to turn maybe there. But the employees would not</p> <p>13 be going that far on.</p> <p>14 MR. GROSSMAN: Okay.</p> <p>15 THE WITNESS: And we even, we even looked at what</p> <p>16 would be the light flow, you know, on, on that. And they,</p> <p>17 you know, it goes out, you know, over the trees this way.</p> <p>18 Not into a residential home.</p> <p>19 MR. GROSSMAN: Okay.</p> <p>20 BY MR. CHEN:</p> <p>21 Q. Notwithstanding where the entrance way is into the</p> <p>22 indoor parking, there would, there's nothing that would stop</p> <p>23 an employee from traveling down to the trash area for some</p> <p>24 reason. Isn't that right? There's no barrier or anything</p> <p>25 like that.</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. Okay.</p> <p>2 A. In the Terrace Level.</p> <p>3 Q. Okay. Is there any linen service provided?</p> <p>4 A. We usually wash the linen on-site. We have a</p> <p>5 commercial, have the ability to have, we have a commercial</p> <p>6 washer and dryer in, within the community. So we wash our,</p> <p>7 you know, most of our linens on-site.</p> <p>8 Q. And, and where is that laundry?</p> <p>9 A. I'd have to get a floor plan and show you that.</p> <p>10 It would probably be on the Terrace Level.</p> <p>11 MR. GROSSMAN: What difference exactly would that</p> <p>12 make if it's located inside the facility?</p> <p>13 MR. CHEN: Well, I didn't, first of all, I didn't</p> <p>14 know where it was located until I heard the answer just now.</p> <p>15 But it, depending upon where it's located, Mr. Examiner,</p> <p>16 does influence the possibility, and so I'm trying to plumb</p> <p>17 of the use of the service drive.</p> <p>18 MR. GROSSMAN: No, but if they're washing their</p> <p>19 linen in-house, what difference --</p> <p>20 MR. CHEN: Oh, I'm sorry. I apologize.</p> <p>21 MR. GROSSMAN: What difference does it make</p> <p>22 whether they have their linen washing facility on Terrace</p> <p>23 Level or other level to you?</p> <p>24 MR. CHEN: Well, for the reason I just stated.</p> <p>25 That the initial question was because you, as I think you</p>
<p style="text-align: right;">Page 99</p> <p>1 A. There's no barrier.</p> <p>2 Q. Yeah.</p> <p>3 A. There's no destination either. But there's no</p> <p>4 barrier.</p> <p>5 Q. Well, I appreciate that. But the, my point is an</p> <p>6 employee could drive down to the trash area.</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Thank you. So we have the employees. Are</p> <p>9 there any other uses for that service drive?</p> <p>10 A. I can think of none, Mr. Chen.</p> <p>11 Q. Where are the generators kept?</p> <p>12 A. The, I don't know the exact location of the</p> <p>13 generator. We'd have to have, we have to have our engineer</p> <p>14 show you that. Or the architect. They will be able to</p> <p>15 testify and show you the exact location.</p> <p>16 Q. Is there any need for maintenance vehicles to</p> <p>17 service this, this, service this facility?</p> <p>18 A. Such as?</p> <p>19 Q. HVAC system.</p> <p>20 A. The, yes. They usually, if we have an HVAC</p> <p>21 service, it's usually a panel truck. You know, it's a small</p> <p>22 panel van our HVAC people usually come in.</p> <p>23 Q. Do you know where the HVAC equipment is?</p> <p>24 A. Some, most of its going to be probably on the roof</p> <p>25 and in the mechanical areas in the basement.</p>	<p style="text-align: right;">Page 101</p> <p>1 indicated just now you could have linen service and that was</p> <p>2 why I asked the initial question. The second, the follow-up</p> <p>3 question when she said that they, they laundered on-site was</p> <p>4 I wanted to know where that equipment is located because you</p> <p>5 get to the issue of maintenance of that equipment.</p> <p>6 MR. GROSSMAN: Well, if it's on-site and it's</p> <p>7 maintenance of that equipment, your question really goes to</p> <p>8 where the maintenance truck would, would access. Is that</p> <p>9 really, isn't that --</p> <p>10 MR. CHEN: I, yeah, I'm --</p> <p>11 MR. GROSSMAN: It's not a question of where it is,</p> <p>12 where the, the linen service is located inside the building.</p> <p>13 That's irrelevant really to you or to me.</p> <p>14 MR. CHEN: Well, let me tell you why I, if it's on</p> <p>15 the Terrace Level and I think the witnesses are very candid</p> <p>16 to say there are occasions when the vehicles would come</p> <p>17 inside into that area, which I respect and I, I think that</p> <p>18 makes sense. Where I'm coming from on that is if that is</p> <p>19 where the commercial laundry area equipment is located, I</p> <p>20 think this same answer would apply. That they would have it</p> <p>21 right there. I think that's a germane question.</p> <p>22 MR. GROSSMAN: In what way? How does that impinge</p> <p>23 on your clients?</p> <p>24 MR. CHEN: For maintenance.</p> <p>25 MR. GROSSMAN: No, but maintenance, does</p>

<p style="text-align: right;">Page 102</p> <p>1 maintenance make any difference to the outside world other 2 than from your standpoint where the truck enters? 3 MS. GIRARD: Right. 4 MR. CHEN: It's, the, it is relevant to my clients 5 and that's correct. And that's why I wanted to know where 6 it was located. 7 MR. GROSSMAN: But only, the only question that's 8 relevant there is where the truck is. Isn't that true? 9 MR. CHEN: I haven't gotten there yet. 10 MR. GROSSMAN: Okay. I understand you haven't 11 gotten there. That's part of the problem. 12 MR. CHEN: Yeah. 13 MR. GROSSMAN: You're taking -- 14 MR. CHEN: Well -- 15 MR. GROSSMAN: -- a long way around to get there. 16 MR. CHEN: Well, that's okay. 17 MR. GROSSMAN: Let's, let's try to direct it into 18 things that are really relevant to what I have to consider, 19 which is the extent to which this proposed use would impinge 20 on the community and specifically on your client. 21 MR. CHEN: Well, let's talk about that just for a 22 minute. Okay. We have a very sophisticated witness here. 23 She has a very big business. She's the major owner of it. 24 She's been very careful on her answers. Now, I have a right 25 to cross-examine. And, and --</p>	<p style="text-align: right;">Page 104</p> <p>1 maintenance personnel or vehicle to come to the site? 2 A. Not on, I mean none of this would come to the site 3 on a regular basis. It would just be if something were 4 broken. 5 Q. Yes. I understand that. 6 A. So I guess if you think about your home, but just 7 think about something larger than that, what could possibly 8 break and you would call, you know, call a person to come, 9 you know, and fix it. 10 Q. Okay. So those types of visits as with a home 11 might be irregular at any given point in time? 12 A. Right. 13 Q. Could you please identify any types of irregular 14 visits to the site utilizing that service drive? And again, 15 it may not be routine. It may be not on a regularized 16 basis, but as with a home, what type of service might this 17 facility require that would necessitate that a panel truck 18 or some other vehicle would have to come to the site and go 19 to that Terrace Level? 20 A. I don't know. 21 Q. How about window washers? Exterior window 22 washers. 23 A. We usually wash our own windows. 24 Q. Okay. Is there any other equipment other than the 25 HVAC, the, I guess the generators, which I understand</p>
<p style="text-align: right;">Page 103</p> <p>1 MR. GROSSMAN: You've been given more than a right 2 to cross-examine, Mr. Chen. 3 MR. CHEN: Yeah. I understand that. 4 MR. GROSSMAN: As you know. But you've gone into 5 detail to, which to some extent is not relevant and I'm 6 pointing that out to you. 7 MR. CHEN: Okay. And -- 8 MR. GROSSMAN: Let's keep it to the relevant area. 9 MR. CHEN: I appreciate that. I appreciate that. 10 But sometimes a direct route is not the best route. Okay. 11 That's all I'm saying. 12 MR. GROSSMAN: I don't care what the best route is 13 for you. What I care about is getting to relevant areas so 14 that this hearing is not unduly extended. 15 MR. CHEN: I, I understand that. 16 MR. GROSSMAN: Okay. 17 BY MR. CHEN: 18 Q. So as I understand it, on that equipment, that 19 commercial laundry equipment, where would the vehicles be to 20 be, if they had to come to the site for maintenance, where 21 would they go? 22 A. Probably into the underground garage. 23 Q. Okay. Are there any other types of maintenance 24 equipment that would require, excuse me, I apologize. Is 25 there any other equipment that would require that type of</p>	<p style="text-align: right;">Page 105</p> <p>1 another witness will talk about and commercial laundry. Is 2 there any other equipment on the site that would necessitate 3 some type of periodic maintenance? 4 A. Our maintenance staff, and, and we use, use a 5 program called TELS (phonetic sp.), we do a lot of 6 preventive maintenance ourselves on-site and obviously, you 7 know, we can't do everything, but, but we rarely have, have 8 to call an outside service. Especially in a building that 9 will be, this will be a silver LEED building and it's going 10 to be built to very efficient specifications and it's going 11 to be brand new so I would expect that there would be very 12 little need for, for repair and maintenance. 13 MR. GROSSMAN: Since you used the term silver 14 LEED, would you explain for the record what that means? 15 THE WITNESS: It means that we're building the 16 building according to standards that are environmentally 17 friendly and progressive. Thinking about the building 18 materials that we use. The electrical and heating systems 19 that we use to make sure that they're efficient. And, you 20 know, that the building does, we do our part, if you will, 21 to, as they say, reduce the carbon footprint. 22 MR. GROSSMAN: Okay. 23 BY MR. CHEN: 24 Q. The, and just so I'm clear on this. Your 25 explanation is as to the employees' shifts, it sounds as if</p>

<p style="text-align: right;">Page 106</p> <p>1 it's not an, an occasion when your shift employees show up 2 at 7:00 a.m. all at once and leave at 3:00 p.m., for 3 instance. It sounds like it's, it's more, there is shifts 4 for employment purposes, but there's no hard and fast rule 5 about when the employees would appear for their job. I 6 mean, you know, the sense I received from your testimony was 7 yeah, we have shifts, but we have part-time employees. We 8 have full-time employees and they, they come in for their 9 shift as appropriate. Is that a fair statement?</p> <p>10 A. They, they, they are, there are a firm, everybody 11 has a firm work schedule. But it doesn't coincide to always 12 a 7:00 and 3:00 and a 3:00 to 11:00. And, and let me just 13 take a minute to explain why. Most, most, we need more 14 services in-house when our residents are getting up in the 15 mornings and may need help with showering. We're preparing 16 breakfast. They're getting morning medications. So you 17 have a period of time of say 6:00 to 10:00 in the morning 18 when there is a heavy use of, you know, just getting 19 everybody ready for the day. Making their beds, cleaning 20 the rooms, those kinds of things. Then you have lunch. So 21 you're preparing lunch. Breakfast and then you're preparing 22 lunch and then you're starting to prep on dinner so your 23 dining staff peaks towards the middle of the day. And 24 toward the end of the day, when you're kind of doing the 25 reversal when residents are finishing their evening</p>	<p style="text-align: right;">Page 108</p> <p>1 BY MR. CHEN: 2 Q. But they're not all the same people. I mean 3 they're, if there's 40 people on-site, all right, is it your 4 testimony that the same 40 people are on-site throughout the 5 24 hour period?</p> <p>6 A. No. 7 MR. GROSSMAN: No. 8 MS. GIRARD: What is the relevance of that? 9 MR. CHEN: No. 10 MR. GROSSMAN: She didn't say that and, and what 11 difference would that make? 12 BY MR. CHEN: 13 Q. That, well, it, it, it's relevant to the number of 14 vehicles using the site. Particularly for employees using 15 the parking. Because let's assume for the moment, and 16 correct me if I'm mistaken, that while there may be a 17 maximum of 40 people on the site during the day, they're not 18 the same 40 people. You may have someone there who is there 19 from say 7:00 to 10:00 during that maximum breakfast period. 20 And that person would leave. Isn't that correct?</p> <p>21 A. Could be. 22 Q. Okay. And then somebody else though may be 23 arriving at 10 o'clock to pick up to work from say 10:00 24 through the noon hour rush to 1 o'clock. Isn't that 25 correct?</p>
<p style="text-align: right;">Page 107</p> <p>1 activities, getting their evening meds, whatever they may 2 need and going to bed, the staff wanes down. So it's not 3 like, you know, a, a bunch of people arrive at one time and 4 stay. It, it, it goes up and it goes down. So somebody may 5 work, may work a 5:00 a.m. to 9:00 a.m. schedule. Somebody 6 may work a, a 10:00 to 4:00 schedule. It depends on what we 7 need where.</p> <p>8 Q. Okay. But none, nonetheless, what we are talking 9 about is during the course of a day, 110 employees?</p> <p>10 A. Not in the course of a day. In the course, 110 11 full-time employees over the course of seven days. That's 12 an average. That, that's how many employees we would have 13 on payroll, would be 110. But you would not have, because 14 you've got a seven day week. No employee can work seven 15 days. They work five days.</p> <p>16 MR. GROSSMAN: But I take it that at no time 17 you're going to more than 40 staff on-site?</p> <p>18 THE WITNESS: That's right.</p> <p>19 MR. GROSSMAN: Maybe overlapping on shifts or 20 whatever, but --</p> <p>21 THE WITNESS: Exactly.</p> <p>22 MR. GROSSMAN: -- at no point will there be more 23 than 40 on on-site.</p> <p>24 THE WITNESS: That's correct.</p> <p>25 MR. GROSSMAN: Okay.</p>	<p style="text-align: right;">Page 109</p> <p>1 A. But you peak at 40 in the middle of the day. 2 Q. Oh, yes. 3 A. Okay. You don't, you, so, so if you're there at 2 4 o'clock in the morning, you're probably going to have seven 5 or eight people in the building. If you're there at 10 6 o'clock at night, seven or eight people. So it, it ratchets 7 up to 40 and then goes back down in the middle of the day. 8 Q. Yes. I, I understand that. And what I'm just 9 trying to get clarification on is when you talk about 10 ratcheting up and, and going down, you have people coming 11 and going. And there are different people coming and going, 12 but your testimony is at any point in time during the day 13 there's never more than 40.</p> <p>14 A. Right. 15 Q. Okay. Do you, do you know, do you know how many 16 different employees come to the site during the course of 17 the day?</p> <p>18 A. I would say maybe 60. Something like that.</p> <p>19 Q. Okay. 20 A. It depends again on what, what the occupancy is 21 and what's going on. 22 Q. Right. But at full occupancy, we're, you're, 23 you're, that would be probably about 60?</p> <p>24 A. Um-hmmm. 25 Q. Okay. Other than physicians, do the residents</p>

<p style="text-align: right;">Page 110</p> <p>1 have any other personal assistants?</p> <p>2 A. Personal assistants meaning what?</p> <p>3 Q. An aide, a therapist maybe or --</p> <p>4 A. The care, care managers work for us. Those are</p> <p>5 the employees we're talking about, that we have been talking</p> <p>6 about. We do usually work with a, one of the local hospital</p> <p>7 systems for physical therapy on-site so there may be a</p> <p>8 therapist there.</p> <p>9 Q. Yes. And --</p> <p>10 A. One, one therapist. Yeah.</p> <p>11 Q. Okay. And my, my question then, and I apologize</p> <p>12 if maybe I wasn't clear, but as I understand your testimony,</p> <p>13 the residents of this facility while they have available to</p> <p>14 them your employees that have services. Nurse that can</p> <p>15 provide services. They also, however, have the ability to</p> <p>16 have a private physician come to the site to examine them</p> <p>17 and I assume they also have the right to have other</p> <p>18 specialized individuals, such as a therapist come to the</p> <p>19 site to provide their services. Is that correct?</p> <p>20 A. No. They would use our therapist that we, that we</p> <p>21 --</p> <p>22 Q. Okay.</p> <p>23 A. -- would have with the hospital.</p> <p>24 Q. Okay. So that are there any other private aides?</p> <p>25 Maybe that's a better word. That a resident has the ability</p>	<p style="text-align: right;">Page 112</p> <p>1 don't, in all of our other communities we, we don't have any</p> <p>2 noise issues.</p> <p>3 Q. And do you have any information about the lighting</p> <p>4 that would be resulting from the use of these vehicles?</p> <p>5 A. You'll have testimony about that from the experts,</p> <p>6 but it's low. It's low voltage lighting.</p> <p>7 MR. GROSSMAN: There is a photometric study in the</p> <p>8 record of that.</p> <p>9 MR. CHEN: I saw that. Yes.</p> <p>10 MR. GROSSMAN: Okay.</p> <p>11 BY MR. CHEN:</p> <p>12 Q. Does your business own the 16-passenger bus?</p> <p>13 A. Yes.</p> <p>14 Q. And where is that kept?</p> <p>15 A. In this case it will be kept in the garage.</p> <p>16 Q. How will it get to the garage?</p> <p>17 A. It will use the service drive.</p> <p>18 Q. Okay. We didn't mention that, but --</p> <p>19 A. We didn't.</p> <p>20 MR. CHEN: Well, I, I think, Mr. Examiner, I've</p> <p>21 got to ask my, my question again.</p> <p>22 THE WITNESS: I think that's like an employee. It</p> <p>23 would be an employee driving it. It's like an employee</p> <p>24 would park it there.</p> <p>25 BY MR. CHEN:</p>
<p style="text-align: right;">Page 111</p> <p>1 to utilize other than their personal physician?</p> <p>2 A. Rare, rarely.</p> <p>3 Q. Okay.</p> <p>4 A. Um-hmmm. Rarely.</p> <p>5 Q. Just so I've got clarification on this now. And</p> <p>6 I'm, please, I'm focusing, remember I, I told --</p> <p>7 MR. GROSSMAN: Well, don't, you don't need a</p> <p>8 prelude. Just ask the question.</p> <p>9 MR. CHEN: Okay.</p> <p>10 BY MR. CHEN:</p> <p>11 Q. Other than the food trucks, trash trucks, employee</p> <p>12 vehicles and periodic maintenance vehicles, are there any</p> <p>13 other uses for the service drive?</p> <p>14 MS. GIRARD: Objection. We have asked and</p> <p>15 answered this.</p> <p>16 MR. GROSSMAN: Sustained.</p> <p>17 MR. CHEN: Okay.</p> <p>18 MR. GROSSMAN: Asked and answered.</p> <p>19 MR. CHEN: Okay. Just for the record, I don't</p> <p>20 think that that, that question has been answered, but that's</p> <p>21 okay. I'll abide by the rule.</p> <p>22 BY MR. CHEN:</p> <p>23 Q. Do you have any information about the noise to be</p> <p>24 generated by any of these vehicles?</p> <p>25 A. I don't know that we did a noise study, but they</p>	<p style="text-align: right;">Page 113</p> <p>1 Q. I understand that, but this is a 16-passenger bus.</p> <p>2 Isn't that right?</p> <p>3 A. Yes. A van. Yeah.</p> <p>4 Q. Van.</p> <p>5 A. Um-hmmm.</p> <p>6 Q. Okay. You also mentioned that there's limousine</p> <p>7 service. Is that correct?</p> <p>8 A. He, he would normally park up front.</p> <p>9 Q. Do the limousines park inside the building at any</p> <p>10 occasion?</p> <p>11 A. No. He would park out front.</p> <p>12 Q. Is there a gas pump on-site?</p> <p>13 A. I don't think so.</p> <p>14 Q. Okay. Does the facility have any non-vehicle</p> <p>15 equipment, such as a Bobcat or anything like that?</p> <p>16 A. No.</p> <p>17 Q. Okay. Some facilities have like a golf cart that</p> <p>18 they use. Anything like that used?</p> <p>19 A. No.</p> <p>20 Q. Okay. Who is using the underground parking area</p> <p>21 other than the employees who would park their vehicles?</p> <p>22 What other employees are used in the area?</p> <p>23 A. What other employees besides --</p> <p>24 MR. GROSSMAN: Is it what other --</p> <p>25 THE WITNESS: -- the employees?</p>

<p style="text-align: right;">Page 114</p> <p>1 BY MR. CHEN:</p> <p>2 Q. Yeah. In that area, what --</p> <p>3 MR. GROSSMAN: No, you said, you said --</p> <p>4 MR. CHEN: I apologize.</p> <p>5 MR. GROSSMAN: -- other than employees. Then you</p> <p>6 said what other employees. So you've used employees twice.</p> <p>7 MR. CHEN: I apologize.</p> <p>8 BY MR. CHEN:</p> <p>9 Q. Aside from the, that, I think you refer to it as a</p> <p>10 Terrace area. Is that correct?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. Other than using that area for parking for</p> <p>13 employees, what other use is that area devoted to?</p> <p>14 A. The parking garage?</p> <p>15 Q. Well, the Terrace, I'm talking about the, as I</p> <p>16 understand your testimony, and I, I apologize if I'm</p> <p>17 mistaken, but I understood you to say that the off street or</p> <p>18 the employee parking is, is at the Terrace Level. Is that</p> <p>19 correct?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. And my, my question is other than utilizing</p> <p>22 that level, the Terrace Level, for the parking, is there any</p> <p>23 other use or any other activity in that --</p> <p>24 A. Oh, you want to know what, what else is located on</p> <p>25 that level?</p>	<p style="text-align: right;">Page 116</p> <p>1 Examiner.</p> <p>2 MR. GROSSMAN: Right.</p> <p>3 MR. CHEN: Is there going to be a witness to</p> <p>4 respond to any questions about these letters?</p> <p>5 MR. GROSSMAN: I don't know. But --</p> <p>6 MR. CHEN: Okay. Okay. Okay. That's fine.</p> <p>7 MR. GROSSMAN: -- ordinarily we, we receive</p> <p>8 letters, --</p> <p>9 MR. CHEN: I understand that.</p> <p>10 MR. GROSSMAN: -- as you know, --</p> <p>11 MR. CHEN: Yeah.</p> <p>12 MR. GROSSMAN: -- for which there is no, --</p> <p>13 MR. CHEN: Yeah.</p> <p>14 MR. GROSSMAN: -- as we're required to do, which,</p> <p>15 for which there is no --</p> <p>16 MR. CHEN: Okay.</p> <p>17 MR. GROSSMAN: -- witness often. We do require</p> <p>18 that they always be signed if we, not just an email. We'll</p> <p>19 take emails from, after we've established a, a relation with</p> <p>20 an attorney or whatever, but for submissions from people we</p> <p>21 don't have any authentication from any office, we require</p> <p>22 that they get a signed letter.</p> <p>23 MR. CHEN: Okay.</p> <p>24 MR. GROSSMAN: So. All right. Mr. Sloan, would</p> <p>25 you state your full name, please?</p>
<p style="text-align: right;">Page 115</p> <p>1 Q. Yes, ma'am.</p> <p>2 A. In the building.</p> <p>3 Q. Yeah.</p> <p>4 A. The, the indoor therapy pool is located there.</p> <p>5 The fitness room. I believe the, the theater is on that</p> <p>6 level. Our architect can go through --</p> <p>7 Q. Okay.</p> <p>8 A. -- the exact floor plan with you, but that's my</p> <p>9 recollection of what's on that level.</p> <p>10 Q. Okay.</p> <p>11 MR. CHEN: I'm done.</p> <p>12 MR. GROSSMAN: Any redirect?</p> <p>13 MS. GIRARD: No.</p> <p>14 MR. GROSSMAN: All right. Thank you, Ms. Bacon.</p> <p>15 Appreciate it.</p> <p>16 THE WITNESS: Thank you. Thank you.</p> <p>17 MR. GROSSMAN: All right. Your next witness.</p> <p>18 MS. GIRARD: Our next witness is Josh Sloan.</p> <p>19 MR. CHEN: I have a, just a question. During the</p> <p>20 course of Ms. Bacon's testimony, you accepted Exhibits 89 A</p> <p>21 through D.</p> <p>22 MR. GROSSMAN: I marked them for the record.</p> <p>23 Yeah.</p> <p>24 MR. CHEN: My understanding, these were</p> <p>25 independent submissions that Ms. Girard gave to the</p>	<p style="text-align: right;">Page 117</p> <p>1 MR. SLOAN: Joshua Sloan.</p> <p>2 MR. GROSSMAN: All right. Raise your right hand,</p> <p>3 please. Do you swear or affirm to tell the truth, the whole</p> <p>4 truth, and nothing but the truth under penalty of perjury?</p> <p>5 MR. SLOAN: I do.</p> <p>6 MR. GROSSMAN: All right. You may proceed.</p> <p>7 DIRECT EXAMINATION</p> <p>8 BY MS. GIRARD:</p> <p>9 Q. Mr. Sloan, have you qualified as an expert in land</p> <p>10 planning and landscape architecture in front of this body?</p> <p>11 A. I have.</p> <p>12 Q. Do you remember most recently?</p> <p>13 A. The most recent case was the conditional for the,</p> <p>14 the re-zoning for the Montgomery Village Golf Course</p> <p>15 Development Plan Amendment.</p> <p>16 MR. CHEN: Mr. Examiner, if it would save some</p> <p>17 time, I know it's just not --</p> <p>18 MR. GROSSMAN: DPA 1501 is the case you're</p> <p>19 referring to there.</p> <p>20 MR. CHEN: I'm aware Mr. Sloan has been accepted</p> <p>21 as an expert witness in that field before you, but I don't</p> <p>22 think, I don't need any voir dire or running through his</p> <p>23 credentials.</p> <p>24 MR. GROSSMAN: You have no objection to his</p> <p>25 qualifications as an expert in land planning and landscape</p>

<p style="text-align: right;">Page 118</p> <p>1 architecture?</p> <p>2 MR. CHEN: No. I can, we're okay with that.</p> <p>3 MR. GROSSMAN: All right. Mr. Uhre, do you have</p> <p>4 any questions regarding this witness's expertise as a land</p> <p>5 planner and landscape architecture?</p> <p>6 MR. UHRE: No, sir.</p> <p>7 MR. GROSSMAN: Okay. In light of that, do you</p> <p>8 feel a need to go any further?</p> <p>9 MS. GIRARD: No. I do not.</p> <p>10 MR. GROSSMAN: All right then.</p> <p>11 MS. GIRARD: I will move his admission.</p> <p>12 MR. GROSSMAN: I, I also am familiar with his</p> <p>13 prior testimony as an expert in this area and I accept Mr.</p> <p>14 Sloan as an expert in land planning and landscape</p> <p>15 architecture.</p> <p>16 MS. GIRARD: Great.</p> <p>17 BY MS. GIRARD:</p> <p>18 Q. Mr. Sloan, are you familiar with the subject</p> <p>19 property, the surrounding area and Application No. CU 16-01?</p> <p>20 A. I am.</p> <p>21 Q. And are you familiar with the approved and adopted</p> <p>22 Potomac Master Plan and its recommendations with respect to</p> <p>23 the subject property, surrounding area and the provision of</p> <p>24 senior housing in the subregion?</p> <p>25 A. I am.</p>	<p style="text-align: right;">Page 120</p> <p>1 MR. GROSSMAN: Copy of NRI/FSD.</p> <p>2 MS. GIRARD: Yes.</p> <p>3 MR. GROSSMAN: All right. 37B as in boy. All</p> <p>4 right.</p> <p>5 THE WITNESS: So we start with the --</p> <p>6 MR. GROSSMAN: And where is north on this, this</p> <p>7 diagram?</p> <p>8 THE WITNESS: North on this diagram?</p> <p>9 MR. GROSSMAN: Yes.</p> <p>10 THE WITNESS: This is, this is actually, actually</p> <p>11 turned, so north is straight up.</p> <p>12 MR. GROSSMAN: All right. North is up on this</p> <p>13 one.</p> <p>14 THE WITNESS: North is up on this one. So we</p> <p>15 start with the existing site and, of course, it's improved</p> <p>16 with the several tennis courts, the large tennis bubble</p> <p>17 areas and, and some buildings, structures. We have a, a new</p> <p>18 exhibit, I believe, which is an aerial view of the existing</p> <p>19 site so you can get a better sense of the tennis courts, the</p> <p>20 bubbles, the structure, which is all in the center, the</p> <p>21 parking area.</p> <p>22 MR. GROSSMAN: And what, and that exhibit you're</p> <p>23 referring to now is --</p> <p>24 MS. GIRARD: This is --</p> <p>25 THE WITNESS: This is an aerial view of the</p>
<p style="text-align: right;">Page 119</p> <p>1 Q. Are you familiar with the requirements of the</p> <p>2 Zoning Ordinance with respect to conditional uses and</p> <p>3 residential care facility conditional uses in particular?</p> <p>4 A. I am. I spent several years while at the</p> <p>5 Montgomery County Planning Department working on it.</p> <p>6 Q. So you're, you're more than familiar?</p> <p>7 A. I am quite familiar with it. Yes.</p> <p>8 Q. And can you review for us the, the findings and</p> <p>9 conclusions of your land planning analysis?</p> <p>10 A. Okay. The NRI that I'm going to speak to first is</p> <p>11 I don't know which exhibit. The NRI being the Natural</p> <p>12 Resources Inventory, Forest Stand Delineation.</p> <p>13 MR. GROSSMAN: Yeah. I don't think you had to</p> <p>14 reproduce, that one was already sealed, I believe.</p> <p>15 MS. GIRARD: Yes.</p> <p>16 MR. GROSSMAN: and so it's one of your --</p> <p>17 MS. GIRARD: Initial ones.</p> <p>18 MR. GROSSMAN: -- or an initial ones. Let's see.</p> <p>19 It might have been 39. Let me see. Let's identify it for</p> <p>20 the record.</p> <p>21 MR. CHEN: Was that 37? Is it 37B?</p> <p>22 MR. GROSSMAN: 26. I'm sorry. 37?</p> <p>23 MR. CHEN: B.</p> <p>24 MR. GROSSMAN: B. Okay. Let's see.</p> <p>25 MR. CHEN: Is that it?</p>	<p style="text-align: right;">Page 121</p> <p>1 existing property.</p> <p>2 MR. GROSSMAN: Okay.</p> <p>3 MS. GIRARD: This is similar to 75, the, the</p> <p>4 rendering, but without --</p> <p>5 MR. GROSSMAN: Right.</p> <p>6 MS. GIRARD: -- the Prospective.</p> <p>7 MR. GROSSMAN: Without the rendering. Okay.</p> <p>8 MR. GIRARD: The, just with the existing --</p> <p>9 MR. GROSSMAN: And so this has not been --</p> <p>10 MR. CHEN: What number is that?</p> <p>11 MR. GROSSMAN: This has not been in, in the record</p> <p>12 yet?</p> <p>13 MR. KAUFMAN: No. It has to get a new number.</p> <p>14 MS. GIRARD: Correct.</p> <p>15 MR. GROSSMAN: All right. So let's give that, and</p> <p>16 I believe on this one, once again north is on the bottom</p> <p>17 rather than on, on the top. Is that correct?</p> <p>18 THE WITNESS: North is reversed.</p> <p>19 MR. GROSSMAN: Yes.</p> <p>20 THE WITNESS: It, it gives us a best view of the</p> <p>21 --</p> <p>22 MR. GROSSMAN: Is there, is there a key on that</p> <p>23 map, by the way, that, on that photo? Is there a key? A</p> <p>24 north/south key?</p> <p>25 THE WITNESS: No. I can put one on.</p>

<p style="text-align: right;">Page 122</p> <p>1 MR. GROSSMAN: Yes, please do.</p> <p>2 MR. KAUFMAN: This would be 90, I believe.</p> <p>3 MR. GROSSMAN: This would be 90.</p> <p>4 (Hearing Exhibit 90 was marked</p> <p>5 for identification.)</p> <p>6 MS. GIRARD: And we do have smaller hard copies</p> <p>7 for everyone.</p> <p>8 MR. GROSSMAN: All right.</p> <p>9 MR. CHEN: Is it 90?</p> <p>10 MR. GROSSMAN: Yes. Exhibit 90 is aerial photo of</p> <p>11 existing site.</p> <p>12 MR. UHRE: You know for those of us who are older,</p> <p>13 whatever he wrote, I can't read.</p> <p>14 MS. GIRARD: He, he wrote Exhibit 90.</p> <p>15 THE WITNESS: I just says Exhibit 90.</p> <p>16 MR. UHRE: Can you write it in big letters,</p> <p>17 please?</p> <p>18 MS. GIRARD: Exhibit 90.</p> <p>19 MR. GROSSMAN: Well, or you can go up and look at</p> <p>20 it. You can, you know. He wrote Exhibit 90.</p> <p>21 And I presume you put a map key on there showing</p> <p>22 the direction of north. Correct?</p> <p>23 THE WITNESS: I, I put the north on the bottom</p> <p>24 left.</p> <p>25 MR. GROSSMAN: Yeah. Yeah. As a general rule,</p>	<p style="text-align: right;">Page 124</p> <p>1 of the tennis bubble there?</p> <p>2 THE WITNESS: I believe the tennis bubble is about</p> <p>3 30 feet. So when we, we examined the site and got an</p> <p>4 approved Natural Resources Inventory from M-NCPPC as it</p> <p>5 shows on the plan, there is minimal planting. Most of the</p> <p>6 site is paved, improved with tennis courts, with a tennis</p> <p>7 bubble at the structure's surface parking. There's actually</p> <p>8 a drive aisle that runs from Potomac Tennis Lane down the</p> <p>9 southwest directly on the property line with Manor Care and</p> <p>10 with the Pauls' residence. There is a stream valley buffer</p> <p>11 in the northwest portion of this site that was indicated and</p> <p>12 approved that protects the stream that is just off site to</p> <p>13 the north. And there are also wetlands within that stream</p> <p>14 valley buffer area, both on the golf club, golf club's</p> <p>15 course and on the Pauls' residence. And all of those</p> <p>16 buffers have been indicated as approved by Park and</p> <p>17 Planning. Most of the tree canopy is actually provided by</p> <p>18 trees off-site. Within the golf course, on Manor Care and</p> <p>19 on the Pauls' property there's very little vegetation on-</p> <p>20 site. It's almost, it's quite impervious in nature.</p> <p>21 MR. GROSSMAN: And as I recall, there's no forest</p> <p>22 on the site.</p> <p>23 THE WITNESS: There is no forest on-site. There's</p> <p>24 a little bit of forest off-site. There are some</p> <p>25 conservation easements actually on the Manor Care property.</p>
<p style="text-align: right;">Page 123</p> <p>1 I'd like to see a map key on, on every diagram that's shown</p> <p>2 or photograph of this sort. And where is this? What's the</p> <p>3 origin of this particular exhibit, this photograph?</p> <p>4 THE WITNESS: This is a, a Google Earth view.</p> <p>5 MR. GROSSMAN: Okay. And when was this taken?</p> <p>6 THE WITNESS: It was taken from the, from the Web</p> <p>7 within the last, from the Internet within the last, last</p> <p>8 two, last week or so.</p> <p>9 MR. GROSSMAN: Do we know when the photo was taken</p> <p>10 itself?</p> <p>11 THE WITNESS: No, I do not.</p> <p>12 MR. GROSSMAN: Do we know if it accurately</p> <p>13 portrays the area in question at this point?</p> <p>14 THE WITNESS: It, it, it portrays everything that</p> <p>15 we have indicated on the Natural Resources Inventory. The</p> <p>16 three tennis courts are represented here. The drive area</p> <p>17 right by Potomac Tennis Lane is, is here. The two large</p> <p>18 white tennis poles are indicated on the NRI in the center of</p> <p>19 the site and, and towards the back of the site. The drive</p> <p>20 aisle that goes down the south, southwest portion is</p> <p>21 indicated.</p> <p>22 MR. GROSSMAN: Okay.</p> <p>23 MS. GIRARD: Just so it's easier for him. Let me</p> <p>24 see if we can --</p> <p>25 MR. GROSSMAN: All right. What, what's the height</p>	<p style="text-align: right;">Page 125</p> <p>1 Although today they wouldn't qualify as forest.</p> <p>2 MR. GROSSMAN: I'm going to mark the 11 x 17</p> <p>3 version of the new exhibit as Exhibit 90 A just so we have a</p> <p>4 small version in the file.</p> <p>5 THE WITNESS: Okay.</p> <p>6 (Hearing Exhibit No. 90 A was</p> <p>7 marked for identification.)</p> <p>8 MR. KAUFMAN: 98?</p> <p>9 MR. GROSSMAN: A as in Albert. Yeah.</p> <p>10 MS. GIRARD: That's your small version. I don't</p> <p>11 think you want --</p> <p>12 MR. KAUFMAN: Oh, you don't want this separately</p> <p>13 then?</p> <p>14 THE WITNESS: No, no, no.</p> <p>15 MS. GIRARD: That's 90 and that's 90 A.</p> <p>16 MR. GROSSMAN: No. I mean that's Exhibit 90.</p> <p>17 This is 90 A.</p> <p>18 MR. KAUFMAN: Understood. Sorry.</p> <p>19 MR. GROSSMAN: Just, just the 11 x 17 version of,</p> <p>20 of 90.</p> <p>21 THE WITNESS: Currently all of the water drains to</p> <p>22 a system of catch basins that is piped directly out at the</p> <p>23 base onto the Pauls' property onto the golf course. There</p> <p>24 are improvements. The tennis court structure's retaining</p> <p>25 walls within the stream valley buffer. And there are</p>

<p style="text-align: right;">Page 126</p> <p>1 several significant specimen trees off-site.</p> <p>2 MR. GROSSMAN: I take it, Ms. Girard, you're going</p> <p>3 to have an engineer testify about storm water management and</p> <p>4 that sort of thing?</p> <p>5 MS. GIRARD: Yes.</p> <p>6 MR. GROSSMAN: Okay.</p> <p>7 MS. GIRARD: Yes.</p> <p>8 THE WITNESS: So then after description of the,</p> <p>9 the actual site itself, we talk a little bit about the, the</p> <p>10 neighborhood. And we worked with Planning Staff to define</p> <p>11 the neighborhood. And now I'm looking at conditional use</p> <p>12 application submission, the surrounding area map.</p> <p>13 MR. GROSSMAN: Which is?</p> <p>14 MS. GIRARD: It's Exhibit 13.</p> <p>15 THE WITNESS: Exhibit 13.</p> <p>16 MR. GROSSMAN: And where is north on this exhibit?</p> <p>17 THE WITNESS: North on this exhibit is also</p> <p>18 straight up.</p> <p>19 MR. GROSSMAN: Thank you.</p> <p>20 THE WITNESS: The site is the triangle in the</p> <p>21 center of this drawing. The limits of the neighborhood are</p> <p>22 indicated with a dash line that incorporates all of the</p> <p>23 Bullis School, the golf club, the Manor Care facility and</p> <p>24 all of the residential neighborhoods that are directly to</p> <p>25 the southwest of the property.</p>	<p style="text-align: right;">Page 128</p> <p>1 MS. GIRARD: 69 B.</p> <p>2 MR. GROSSMAN: 69 B. Okay. And where's north on</p> <p>3 that one?</p> <p>4 THE WITNESS: North on this one is to the right.</p> <p>5 MR. GROSSMAN: Okay. Is that indicated on the key</p> <p>6 on, on there?</p> <p>7 THE WITNESS: It's indicated on the key on the</p> <p>8 bottom right.</p> <p>9 MR. GROSSMAN: Okay.</p> <p>10 THE WITNESS: Along with the scale.</p> <p>11 MR. GROSSMAN: Okay.</p> <p>12 THE WITNESS: So when we started working with,</p> <p>13 with the site and, and the project, the project program, the</p> <p>14 first thing I did, of course, was I visited several of the</p> <p>15 sites that, that Brandywine operates and was, was struck by</p> <p>16 a number of things. One, they're, they're very well</p> <p>17 detailed and appointed. Two, they're also very serene</p> <p>18 environments. And, and three, they're, they provide certain</p> <p>19 facilities that you would see sort of in a, in a nice house.</p> <p>20 The other thing that I was working with was the</p> <p>21 architecture, which we'll speak to later. And the</p> <p>22 architecture has a feeling that reminded me in many cases</p> <p>23 of, of the early 20th Century estate gardening.</p> <p>24 MR. CHEN: Objection. I, this whole line is, you</p> <p>25 know, I don't, I think it's outside the expert in its</p>
<p style="text-align: right;">Page 127</p> <p>1 MR. GROSSMAN: Did you, did you suggest the</p> <p>2 defined neighborhood limits?</p> <p>3 THE WITNESS: The defined neighborhood limit</p> <p>4 includes all of the properties in the, the golf course, the</p> <p>5 Bullis School, Manor's, Manor's, Manor Care, the, and all of</p> <p>6 the residents on the two closest roads off of Democracy,</p> <p>7 which are Normandy to Farm Drive and Lockland Road.</p> <p>8 MR. GROSSMAN: Yes. But I was asking was this,</p> <p>9 was this part of your suggested --</p> <p>10 THE WITNESS: Yes.</p> <p>11 MR. GROSSMAN: -- as to, as to defining the</p> <p>12 neighborhood.</p> <p>13 THE WITNESS: Yes.</p> <p>14 MR. GROSSMAN: And did the Technical Staff of the</p> <p>15 Planning Board accept that as the defined neighborhood?</p> <p>16 THE WITNESS: They did.</p> <p>17 MR. GROSSMAN: Okay.</p> <p>18 THE WITNESS: Okay. So that's the site and the</p> <p>19 location. So now I'm going to discuss the project</p> <p>20 description. And I'm using the, the site plan illustrative,</p> <p>21 which is an illustrative plan created early in the process</p> <p>22 --</p> <p>23 MR. KAUFMAN: Let's get the exhibit number.</p> <p>24 MS. GIRARD: 69 B, I believe.</p> <p>25 MR. GROSSMAN: I'm sorry?</p>	<p style="text-align: right;">Page 129</p> <p>1 relevancy.</p> <p>2 MR. GROSSMAN: Okay. Do you want to respond to</p> <p>3 that?</p> <p>4 MS. GIRARD: Sure. It goes to the design of the</p> <p>5 facility and compatibility.</p> <p>6 MR. GROSSMAN: I agree with that. It goes to the</p> <p>7 compatibility.</p> <p>8 MR. CHEN: I, okay.</p> <p>9 MR. GROSSMAN: So, well, I'll overrule the</p> <p>10 objection.</p> <p>11 THE WITNESS: I mean as, as, as the landscape</p> <p>12 architect on the project, really the, the design of it now</p> <p>13 incorporated the necessary screening, the elements, the</p> <p>14 amenity spaces, parking layout, and things like that. I'll</p> <p>15 speak to the, to working with the building, with the site</p> <p>16 itself. So the building has a, a very particular feel of,</p> <p>17 of the estates that are found throughout Potomac. And we</p> <p>18 wanted to really work on that residential feel with the,</p> <p>19 with the landscape. So we provided the parking, of course,</p> <p>20 on the, on the eastern portion of the site which is directly</p> <p>21 near the access, which is in the southeast of the site,</p> <p>22 right off of Potomac Tennis Lane where the existing access</p> <p>23 point is. The drive aisle that currently goes down the</p> <p>24 property between Manor Care and the poles on the existing</p> <p>25 site was set back with a landscape buffer. There were new</p>

<p style="text-align: right;">Page 130</p> <p>1 provisions put into the Code during the write that was 2 adopted, the rewrite adopted in 2014 specifically addressing 3 what kind of screening should be provided between 4 conditional uses and residential zoned properties. And so 5 we accommodated that along the entire length. 6 BY MS. GIRARD: 7 Q. Can you just expand on that? But, so how is that 8 different from what exists today? 9 A. So what exists today is basically you've got a, 10 and I'm looking now at the aerial view existing again, 11 parking in a drive aisle, it's directly on or very close to 12 the property line all the way down the, the western property 13 boundary to a, an existing turnaround down by a structure in 14 the corner in a parking area. So what we did is we 15 basically took those things, worked with the grade -- 16 MR. GROSSMAN: That's really the southern 17 boundary, right? Not the western? Am I correct? 18 THE WITNESS: Southern, south, yeah, southwestern. 19 Okay. We, we moved all of that an appropriate distance 20 away. Work the grading in. So much of this service aisle 21 is actually below the grade of the adjacent Manor Care 22 property, which sits up higher. And it's not until you get 23 down close to the end of the building where the grade 24 changes and where it actually starts sloping down towards 25 the Pauls. And there is the area that's shown sort of an,</p>	<p style="text-align: right;">Page 132</p> <p>1 then a, a little path to a, a gazebo that overlooks the, the 2 stream valley buffer that's going to be reforested. So we 3 took the reforestation requirements related to that, 4 mitigation trees that are required for, for taking down or 5 disturbing specimen trees, and incorporated that into a 6 Forest Conservation Plan that the Planning Board recently 7 approved at the hearing. And I think we want to submit that 8 for the record. The approval. 9 Q. Right. 10 MS. GIRARD: I wasn't sure if that was in the 11 record or not. 12 MR. GROSSMAN: I think they mentioned it in the 13 letter, but it, that they sent, but I'm not sure that the 14 actual resolution approving the Forest Conservation Plan is 15 in. Let me see. 16 MR. UHRE: This is, looks like, is this in the 17 record already? 18 MS. GIRARD: That's what we're looking for. It 19 was hard to tell by one of the descriptions in the Exhibit 20 List. 21 MR. UHRE: Okay. 22 MR. GROSSMAN: Which exhibit are you talking about 23 in the description so I can check it? 24 MS. GIRARD: 74 C. 25 MR. GROSSMAN: Okay.</p>
<p style="text-align: right;">Page 131</p> <p>1 an opening on the landscape illustrative where the wetland 2 is. And that's primarily a wetland because it takes all of 3 the drainage from Manor Care, which is -- 4 MR. GROSSMAN: And that's the lighter green on the 5 western side of the property. Right? 6 THE WITNESS: Right. All of the drainage from 7 Manor Care basically comes through this and created a 8 wetland that then joins the stream valley. 9 BY MS. GIRARD: 10 Q. That's actually on the adjacent property. Right? 11 A. On the adjacent property. So working with those 12 things, working with the grade, we had also the ability to 13 move the parking up and under the building at a point closer 14 to the entrance so that the, anyone going in and out of the 15 parking would be turning in and coming out directly across 16 from Manor Care rather than, rather than further down. We 17 worked a very quiet sitting area to the southern portion of 18 the, within the southern portion of the building. There are 19 two courtyard areas out, exterior, well, there are three. 20 One is internalized for the Memory Care patients. The other 21 areas are to the south courtyard and the north courtyard. 22 So we have a very formal, typical of an estate kind of 23 garden in the south courtyard. And the north courtyard, 24 it's a little bit more open. There's an area for outdoor 25 dining, seating. There's a, a more flexible lawn area. And</p>	<p style="text-align: right;">Page 133</p> <p>1 MS. GIRARD: Preliminary Forest Conservation Sign. 2 And I don't know whether that's the plan or -- 3 MR. GROSSMAN: All right. Let me check that out. 4 74 C. 5 MR. KAUFMAN: Okay. So 91 would be the 6 resolution. 7 MS. GIRARD: Yeah. If it's not already in. 8 MR. GROSSMAN: No. 74 C is really a copy of, it 9 looks like another copy. It was an attachment to the 10 letter, but it's not the resolution. A copy of the plan, it 11 looked like. Or maybe it's the Forest Conservation, not the 12 plan, but the, the Staff Report on the Plan. 13 MS. GIRARD: Oh. 14 MR. GROSSMAN: That's what it looks like. So 15 let's receive this resolution in. 16 THE WITNESS: Are we at 91? 17 MR. GROSSMAN: Hold on one second. 18 MS. GIRARD: Yeah, 91. 19 MR. KAUFMAN: That would be 91. 20 MR. GROSSMAN: Yeah, just one sec. They mention 21 the preliminary Forest Conversation Plan approval in the 22 letter, Exhibit 74, from the Planning Board here, but the 23 actual resolution I don't think is in. So, all right. You 24 got the Exhibit List here. Exhibit 91 is the Resolution by 25 the Planning Board approving the Preliminary Forest</p>

<p style="text-align: right;">Page 134</p> <p>1 Conservation Plan. Okay. I note that there's a footnote to 2 Exhibit 91 saying unless specifically indicated otherwise, 3 the Board has reviewed the Preliminary Forest Conservation 4 Plan and sets forth conditions under which the Staff can 5 approve the Final Forest Conservation Plan without further 6 Board action.</p> <p>7 (Hearing Exhibit No. 91 was 8 marked for identification.)</p> <p>9 THE WITNESS: Right. What we're going to be 10 working with them on, if we reforest, we're going to be 11 reforesting and removing all improvements from the stream 12 valley buffer and most of this area is, about 90 percent of 13 that is going to be put into a forest conservation easement.</p> <p>14 MR. GROSSMAN: This area being?</p> <p>15 THE WITNESS: This area being the stream valley 16 buffer area to the northwest corner of the property 17 extending almost halfway along that, the northern property 18 line.</p> <p>19 MR. GROSSMAN: Okay.</p> <p>20 THE WITNESS: And we're going to be working with 21 them on placing some individual trees actually off-site 22 probably to, to try to get this back as close to a natural 23 state as possible. This area will all be protected fenced 24 area, the forest conservation area. So we have a fence that 25 runs along that and then at the tip of the western point, we</p>	<p style="text-align: right;">Page 136</p> <p>1 limit our foot candles quite easily to the Code requirement 2 of .01 foot candles at the property line with the 3 residential use. So we met that. We're also using in line 4 with the, with the LEED planning that we're doing at least 5 partially cut off pictures so that there's no glare. That 6 means your, your bulb is recessed and the light is focused 7 down. There's no side or, or up lighting. So there's --</p> <p>8 MR. GROSSMAN: So if I understand you correctly, 9 there are no lights along the site from about the halfway 10 point all the way to the west of the site?</p> <p>11 THE WITNESS: There are no site lights necessary 12 here. There's really no need for anyone to be down here 13 during the --</p> <p>14 MR. GROSSMAN: Well, that's on the southern. How 15 about on the --</p> <p>16 THE WITNESS: On the southern.</p> <p>17 MR. GROSSMAN: And the corner and along, also 18 along the northern side.</p> <p>19 THE WITNESS: That's, that's correct.</p> <p>20 MR. GROSSMAN: No site lights at all. Okay.</p> <p>21 THE WITNESS: The first lights, they're shown in 22 orange here, is up by the gazebo --</p> <p>23 MR. GROSSMAN: Okay.</p> <p>24 THE WITNESS: -- on the north and they're sort of 25 hanging, sort of chandelier like lights underneath the</p>
<p style="text-align: right;">Page 135</p> <p>1 are running a privacy fence on the, just off the property 2 line all the way to the end of the property line at Potomac 3 Tennis Lane. So there'll be a privacy fence in addition to 4 the plantings that we're providing here that the Code 5 requires. And actually we're doing more planting than the 6 Code requires. And we've also worked --</p> <p>7 MR. GROSSMAN: What's the height of that privacy 8 fence?</p> <p>9 THE WITNESS: The height is limited to six feet, 10 six inches and I think we have a, about, about that six foot 11 fence detailed. Board on board privacy fence.</p> <p>12 Because we are really focusing most of the 13 community living space up around the courtyards and the 14 entry of the building and we've also provided a community 15 garden space because a lot of the residents at the other 16 places we visited liked having a little, little garden plots 17 and, and planters and things. We've actually got a 18 community garden up at the eastern portion of the site near 19 the parking area.</p> <p>20 Since we concentrated these uses around these open 21 spaces, all of the outdoor site lighting actually ends by 22 the time we get to the western portion of the courtyards. 23 And there's no site lighting beyond that in the western 24 portion of the triangular site. This allowed us to one, 25 make these safe and nice areas for the residents, but also</p>	<p style="text-align: right;">Page 137</p> <p>1 pergola in this, in the courtyard itself.</p> <p>2 MR. GROSSMAN: All right. If somebody heads on, I 3 guess it's along the drive aisle from the front of the 4 facility towards the back with headlights on, will those 5 headlights be visible outside of the property?</p> <p>6 MR. CHEN: Objection.</p> <p>7 MR. GROSSMAN: That's okay. He has a right to 8 object to my questions.</p> <p>9 MR. CHEN: Land planner/landscape architect. You 10 know, I don't know that this gentleman has any kind of 11 expertise whatsoever about the effect of headlights on, on 12 adjacent property. He could say if it's going to be there, 13 but the terminology --</p> <p>14 MR. GROSSMAN: That's my question, I thought. I 15 thought my question was will it be visible off of the 16 property. Did I --</p> <p>17 MR. CHEN: It's visible. It works for me.</p> <p>18 MR. GROSSMAN: Okay. I thought that's what I'd 19 asked, but maybe I didn't. Okay. So will headlights --</p> <p>20 MR. CHEN: And I may have, I may have missed it 21 too, but I, visible I don't have a problem with that term.</p> <p>22 MR. GROSSMAN: Okay. Well, that was the intent of 23 my question. If somebody heads along the drive aisle from 24 the front of the building towards the back, will, and has 25 headlights on will they be visible off the property? Would</p>

<p style="text-align: right;">Page 138</p> <p>1 that, would the privacy fence and the screening that is 2 being proposed. 3 THE WITNESS: The privacy fence and screening 4 proposed will block a significant amount of light. I don't 5 know that I would say that no light is visible. But 6 certainly the, the beams are directed to the northwest. 7 That's the way the drive aisle is situated. And in other 8 configurations that we looked at, we liked this better 9 because coming around and down, you'd actually be pointing 10 the drive aisle towards the residents and we didn't want 11 that. 12 MR. GROSSMAN: Well -- 13 THE WITNESS: But the -- 14 MR. GROSSMAN: -- will the beams themselves be 15 visible as opposed to any ambient light that's created by 16 them? 17 THE WITNESS: No. Those shouldn't be visible. 18 Those will be pointing directly northwest and blocked by all 19 of the screening and the six foot fence. 20 MR. GROSSMAN: Okay. 21 THE WITNESS: We're further looking at putting an 22 additional six foot fence so you'd actually have two layers 23 of fencing so we can deal with any grade issues at the top 24 of the storm, storm water management facility that is in 25 the, the western corner. And since, I think I may get</p>	<p style="text-align: right;">Page 140</p> <p>1 BY MS. GIRARD: 2 Q. Mr. Sloan, when you referenced the fence that the, 3 you said we're looking at putting in a fence. Can you 4 explain why that's not shown on the plan currently? 5 A. It is not shown on the plan currently. So as we 6 work with Technical Staff and looked at the same questions 7 about lighting, noise, anything like that, visibility, we 8 suggested adding a fence to the top of the storm, storm, 9 storm water management facility. And I think we did an 10 exhibit, but -- 11 Q. So that would be something that we're proffering 12 now and we'd have to submit amended plans if that were 13 desirable? 14 A. We will. I think I have an exhibit of it. 15 MR. KAUFMAN: The board, the second board. No, 16 no, no. The board behind it. 17 THE WITNESS: Just a moment. Take your time. We 18 did a lot of plans for this project. 19 BY MS. GIRARD: 20 Q. Why don't we just speak to it then? 21 A. So this is a, a new exhibit that we prepared. So 22 we will labeling it Exhibit 92? 23 MR. GROSSMAN: 92. And what do we call this? 24 THE WITNESS: This is the proposed turnaround 25 detail exhibit.</p>
<p style="text-align: right;">Page 139</p> <p>1 asked, the, the species that, that are directly in this area 2 -- 3 MR. GROSSMAN: This area being the extreme west? 4 THE WITNESS: The area to the west. 5 MR. GROSSMAN: Yeah. 6 THE WITNESS: Directly along the property line. 7 The species where the turnaround is near the western 8 property line, or southern property line, however you want 9 to put it, the one that is abutting the Pauls' residence, 10 are American Holly and Rhododendron Maximum, which are both 11 native evergreen species. The first, the Ilex, the American 12 Holly grows to typically about 30 plus feet in landscape 13 conditions. The Rhododendron Maximum is a native evergreen 14 that grows typically to about 15 feet in landscape 15 conditions. Naturally grow quite larger. When we put them 16 in, there's a fine line between putting in something that's 17 too big and has a lower survivability rate and something 18 that'll have immediate impact. So we typically put American 19 Hollies in somewhere between eight to 12 feet. And we can 20 check the plant schedule to see exactly what we're 21 proposing. And the, the Rhododendrons, we would put those 22 in typically, I like to put them in about 48 inches high. 23 It seems to be their best, best survivability rate at about 24 that size. It gets them established quickly and growing 25 quickly.</p>	<p style="text-align: right;">Page 141</p> <p>1 MR. GROSSMAN: Okay. Turnaround detail exhibit. 2 And I'll label the 11 x 17 version as 92A. All right. 3 (Hearing Exhibit Nos. 92 4 and 92 A were marked for 5 identification.) 6 THE WITNESS: I've indicated north in the bottom 7 right. Of course, this is a plan view and a sectional view 8 so. What we've done is look more closely at the section -- 9 MR. CHEN: Excuse me. 10 THE WITNESS: -- between the property line with 11 the -- 12 MR. GROSSMAN: I'm sorry. Did you say, want to 13 say something, Mr. Chen? 14 MR. CHEN: Well, no. 15 MR. GROSSMAN: Okay. 16 THE WITNESS: The property line with the Pauls and 17 the building, about midway through the end of the turnaround 18 closest to the property line. So in plain view, you can see 19 that from the building, we go past the Utility Area. 20 There's been a 14 foot masonry wall. It surrounds that 21 Utility Area. The turnaround drive area, the trash 22 enclosure -- 23 MR. GROSSMAN: Okay. Hold on. I'm sorry. Where 24 is the 14 foot -- 25 THE WITNESS: It runs in an L-shape.</p>

<p style="text-align: right;">Page 142</p> <p>1 MR. GROSSMAN: Okay.</p> <p>2 THE WITNESS: On the western and southern portion</p> <p>3 of an area for utilities.</p> <p>4 MR. GROSSMAN: I think actually since north is,</p> <p>5 that would be the northern portion since north is up on this</p> <p>6 map.</p> <p>7 THE WITNESS: North is to, no, yeah, north is to</p> <p>8 the, is still to the right.</p> <p>9 MR. GROSSMAN: Well, not on the, not on the</p> <p>10 version I was just handed.</p> <p>11 THE WITNESS: It, it's incorrect and I scribbled</p> <p>12 it out. Sorry about that.</p> <p>13 MR. CHEN: Yeah, that's --</p> <p>14 MR. GROSSMAN: All right.</p> <p>15 MR. CHEN: That's --</p> <p>16 MR. GROSSMAN: All right. And these are all, --</p> <p>17 MS. GIRARD: As if we didn't have you confused</p> <p>18 enough.</p> <p>19 MR. GROSSMAN: -- seem to be good reasons for VIKA</p> <p>20 to listen to actually doing their plans when, when it's</p> <p>21 feasible with north in one direction and not flipping it in</p> <p>22 three different ways. All right. So north is which way?</p> <p>23 THE WITNESS: North is to the right of the sheet.</p> <p>24 MR. GROSSMAN: Okay. I'm going to change that on</p> <p>25 here and indicate on 92A what you've done on 90. Okay. So</p>	<p style="text-align: right;">Page 144</p> <p>1 wall. We're in the driveway area. The trash enclosure is</p> <p>2 shown, 11 feet by 21.5 feet. That will also be enclosed by</p> <p>3 a masonry wall and that masonry wall is eight feet tall.</p> <p>4 Actually I should label that also. It's also labeled and</p> <p>5 detailed on the Landscapes --</p> <p>6 MR. GROSSMAN: And that's eight feet tall?</p> <p>7 THE WITNESS: Right.</p> <p>8 MR. CHEN: Can I look over your shoulder, Mr.</p> <p>9 Examiner? Do you mind if I step up and just look over your</p> <p>10 --</p> <p>11 MR. GROSSMAN: No. You may step up. Certainly.</p> <p>12 MR. UHRE: I'm sorry. Was that the trash that was</p> <p>13 eight feet?</p> <p>14 THE WITNESS: Yes.</p> <p>15 MR. GROSSMAN: The trash, the wall around the</p> <p>16 trash.</p> <p>17 MR. UHRE: Thank, thank you.</p> <p>18 MR. GROSSMAN: So I was just saying eight, eight</p> <p>19 foot --</p> <p>20 MR. CHEN: Yeah.</p> <p>21 MR. GROSSMAN: Masonry wall. And here I'm just</p> <p>22 saying 14 foot masonry wall. And here I just changed the,</p> <p>23 crossed out the, that north point and put it that way.</p> <p>24 MR. CHEN: Yeah. It's to the numbers. It should</p> <p>25 be skewed to the right or, yeah. Okay. You got it. Okay.</p>
<p style="text-align: right;">Page 143</p> <p>1 now looking at the, the wall, you say --</p> <p>2 THE WITNESS: It's on the western southern portion</p> <p>3 of an area that'll have --</p> <p>4 MR. GROSSMAN: Okay.</p> <p>5 THE WITNESS: -- the chillers. And that's 14 feet</p> <p>6 high masonry.</p> <p>7 MR. GROSSMAN: Okay.</p> <p>8 THE WITNESS: Then we have the driveway area that</p> <p>9 goes past the trash enclosure, which is labeled on here 11</p> <p>10 feet --</p> <p>11 MR. GROSSMAN: If nobody has an objection, I'm</p> <p>12 going to mark on this 92A and I would ask you to do it on</p> <p>13 there because I don't, I don't see anything that says that</p> <p>14 that's a 14 foot masonry wall.</p> <p>15 THE WITNESS: I believe that's labeled on the</p> <p>16 landscape plan, but I can label it here also.</p> <p>17 MR. CHEN: Mr. Examiner.</p> <p>18 MR. GROSSMAN: Yes.</p> <p>19 MR. CHEN: I have no problem with what you're</p> <p>20 doing. I would just like to see what you're putting, what</p> <p>21 you are putting on your copy so I could duplicate it on my</p> <p>22 copy.</p> <p>23 MR. GROSSMAN: Sure. Absolutely.</p> <p>24 MR. CHEN: Including the directional.</p> <p>25 THE WITNESS: Okay. So I've indicated the 14 foot</p>	<p style="text-align: right;">Page 145</p> <p>1 Thank you.</p> <p>2 MR. GROSSMAN: Okay. You're welcome.</p> <p>3 THE WITNESS: So then at the end of the drive</p> <p>4 aisle, the closest point to the property line, there's a</p> <p>5 storm water management facility that collects water draining</p> <p>6 down the driveway and we'll speak to that a little bit later</p> <p>7 with our engineer. But then it goes through and you can see</p> <p>8 where it goes through the, the plantings all along the</p> <p>9 property line where the Hollies and the Rhododendron as well</p> <p>10 as some other, other plantings are. So I, I think this,</p> <p>11 this area is a, is complicated and it was a good point that</p> <p>12 as we go from a situation where we are lower than adjacent</p> <p>13 property to where we are higher than the adjacent property,</p> <p>14 it's, it's actually quite steep now on this property and we</p> <p>15 are going to be decreasing that slope to what's more typical</p> <p>16 of a, of a residential landscape of going three feet</p> <p>17 horizontally for every one foot vertically rather than the</p> <p>18 existing condition which, which I think is, is probably</p> <p>19 closer to two to one. And where the fence is, the actual,</p> <p>20 the chain link fence of the Pauls is actually falling down.</p> <p>21 So what this gave us the opportunity to do was actually use</p> <p>22 the storm water management facility as a retaining wall</p> <p>23 toward this area, get plantings higher in elevation along</p> <p>24 that drive aisle, and then we're proposing to add an</p> <p>25 additional six foot privacy fence along the outside of that.</p>

<p style="text-align: right;">Page 146</p> <p>1 So that will screen anything for those, you know, 20 second 2 times when the truck turns around before it heads out. 3 MR. GROSSMAN: Okay. So a number of locations on 4 this diagram use the initials MBP. Is that Micro bio 5 retention or something? Or what does that stand for? MBP. 6 THE WITNESS: The MBP is -- 7 MS. GIRARD: Isn't it Micro bio planters? 8 THE WITNESS: That's a planter. Right. Yes. The 9 MBP is right here. Micro-, Micro bio planter. 10 MR. GROSSMAN: Right. Well, there are a number of 11 them throughout -- 12 MS. GIRARD: He's asking what it stands for. 13 MR. GROSSMAN: What does it stand, what do the 14 initials stand for? 15 THE WITNESS: Yes. I think that's Micro bio 16 planter. 17 MR. GROSSMAN: Okay. And so the location you 18 pointed to as it goes through the screening trees, that's 19 part of the, the storm water management process? 20 THE WITNESS: Yes. 21 MR. GROSSMAN: Okay. 22 THE WITNESS: So that's the additional, additional 23 screening that we were proposing for that area. 24 MR. GROSSMAN: With everybody's permission, I'm 25 going to put a little key here for MBP is Micro bio-</p>	<p style="text-align: right;">Page 148</p> <p>1 Q. Mr. Sloan, I think you've gone through your 2 analysis with regard to the site layout. You were going to 3 continue on about your, your analysis in your land planning 4 report. 5 A. Right. So another thing that we looked at, of 6 course, was, was the Master Plan. And under the Master 7 Plan, there is the recommendation to provide senior housing 8 within the community over the next 20, or the 20 years from, 9 from 2002 to provide approximately 750 new units. This has 10 already been discussed. About an average of 40 per year in, 11 in larger sums, one of the sums, one at a time. And, and 12 this seemed quite in keeping with that recommendation. 13 There are no specific recommendations with this parcel with 14 respect to its use that was existing then, the Potomac, the, 15 the tennis club. So, so we looked at that. Analyzed that 16 and found that it was in conformance with the Master Plan 17 recommendations. 18 MR. GROSSMAN: Do we know how many senior units 19 have been provided during that period of time other than 20 this proposal? 21 THE WITNESS: We, we do. We have about a deficit, 22 I believe, of 300 and change if you don't count a 23 particular, a life care facility. But with a life care 24 facility counted, all of the units that, and beds that have 25 been approved, there's still a deficit of 160.</p>
<p style="text-align: right;">Page 147</p> <p>1 retention planter. Okay. 2 Mr. Chen, I, I added that key on to the bottom 3 here. Micro bio-retention planter. Okay. 4 Let me stop you for a second. I want to make sure 5 that people have a chance to eat something. If they want to 6 eat something from our cafeteria, I think we should probably 7 break at 1 o'clock or thereabouts. 8 MS. GIRARD: There's no easy stopping, we still 9 have quite a bit to go. So might as well just -- 10 MR. GROSSMAN: Okay. All right. So we might as 11 well stop now so people will get something before everything 12 runs out there. And we'll come back at 1:45. Is that 13 agreeable? 14 MR. KAUFMAN: Sure. 15 MR. GROSSMAN: Okay. 16 MR. KAUFMAN: At least to us it is. I know. 17 MR. GROSSMAN: Pardon me? 18 MR. KAUFMAN: It is to the applicant. 19 MR. GROSSMAN: All right. 20 (Off the record.) 21 (Lunch Break.) 22 (On the record.) 23 AFTERNOON SESSION 24 MR. GROSSMAN: All right. Back to Mr. Sloan. 25 BY MS. GIRARD:</p>	<p style="text-align: right;">Page 149</p> <p>1 But then along with any, any conditional use or it 2 was then called a special exception, we look to, to the 3 other Master Plan recommendations about over-concentration, 4 things like that. Since we're not increasing the number of 5 conditional uses, we're replacing one, there is no, there is 6 no change in the, in the concentration of conditional uses. 7 And then we look at the, the intensity really of, of the use 8 under the Master Plan to make sure that it is, is 9 compatible. In this case, with traffic we have a decrease 10 as we've discussed. With net trips to and from the site, 11 with, I think, a little bit more in the, in one of the peak 12 hours and, and a little, and, and less and in the other. 13 And our transportation planner will address that. 14 We'll be looking at environmental compatibility, 15 plantings, forests, tree cover, the storm water issues that 16 we have on-site now, the degradation and erosion that we 17 want to repair. Whether there is going to be increased 18 outdoor noise, the, the activity, the lighting and in all 19 those cases, we worked very hard on a plan to decrease those 20 impacts and mitigate where necessary. And then in the 21 details of the actual, you know, compatible, compatibility 22 issues, I think I've gone over quite a bit. But I brought 23 up the, the conditional use plan now, which is, let me see 24 which exhibit number it is. 25 BY MS. GIRARD:</p>

<p style="text-align: right;">Page 150</p> <p>1 Q. Which one? I'm sorry.</p> <p>2 A. The conditional use plan itself.</p> <p>3 MR. GROSSMAN: I think that's 79 A I. I think if</p> <p>4 I recall. Yes. The conditional use plan itself is 79 A I.</p> <p>5 MS. GIRARD: We got it. 79 A --</p> <p>6 MR. GROSSMAN: The conditional use plan is 79 A I.</p> <p>7 I'm sorry.</p> <p>8 THE WITNESS: Oh, A I. I thought you said 79 or</p> <p>9 81. Sorry.</p> <p>10 MR. GROSSMAN: No.</p> <p>11 THE WITNESS: Okay. 79 A I. A lot of this has to</p> <p>12 do with the architecture. And our architect will speak</p> <p>13 about that in terms of massing articulation of the building</p> <p>14 form, the style. But also with the landscape itself, and</p> <p>15 that's one of the reasons why I brought up the land, the</p> <p>16 landscape style and, and sort of the research and work we</p> <p>17 did on that. It's because it's a very residential style of,</p> <p>18 of design. The, the plantings, the gardens are, are much</p> <p>19 more like an estate garden situation rather than an</p> <p>20 institutional use. And, in fact, the applicant really</p> <p>21 pushed us to make it, to reduce any kind of institutional</p> <p>22 feel. They wanted a residential feel. It's very important</p> <p>23 to them and to their residents. And in walking around and</p> <p>24 visiting their sites, you get that sense. They, they like</p> <p>25 to have garden spaces. So you're providing, providing that,</p>	<p style="text-align: right;">Page 152</p> <p>1 the, the elevation level, or ground level at the location of</p> <p>2 the building, the west most portion of the building versus</p> <p>3 the elevation level at ground level at the Pauls' residence?</p> <p>4 THE WITNESS: At the Pauls' residence. I don't</p> <p>5 know that we have the topography. So I'm, I'm looking at</p> <p>6 now the surrounding area map.</p> <p>7 MR. GROSSMAN: Right.</p> <p>8 THE WITNESS: And, and that roughly shows the 380</p> <p>9 contour at about where their, their house is. But we also,</p> <p>10 as we provided before the, or talked about before we</p> <p>11 provided this section, they went from the, the Pauls' house</p> <p>12 to, to the residents.</p> <p>13 MR. GROSSMAN: So it's 380 elevation near the</p> <p>14 Pauls' residence, is what you're saying?</p> <p>15 THE WITNESS: Nearly. Their, their elevation is</p> <p>16 actually 378 is what we --</p> <p>17 MR. GROSSMAN: Okay. 378.</p> <p>18 THE WITNESS: -- get from the, calculate from the</p> <p>19 GIS. And then where we are at the building, the garage</p> <p>20 entry and that whole finished floor elevation of that is</p> <p>21 300-- 398. So it's quite flat until it gets to the end. It</p> <p>22 slips down at four percent grade. And then, then it drops</p> <p>23 more quickly.</p> <p>24 MR. GROSSMAN: Can you point to the garage entry</p> <p>25 again for me?</p>
<p style="text-align: right;">Page 151</p> <p>1 that feel, that, that ambience around the landscape.</p> <p>2 Working with the grades, we were very carefully,</p> <p>3 as I noted, a little bit before, took up a lot of grade on,</p> <p>4 on the western, the southern drive service alley. And then</p> <p>5 flattened in the back. But this allowed us to step the</p> <p>6 building so that we are only two stories of, of living space</p> <p>7 above the parking garage and, and most of our height and</p> <p>8 massing is on the eastern portion of the site facing the</p> <p>9 golf course and Potomac Tennis Lane. And also this allowed</p> <p>10 us to get down to the parking garage rather quickly before</p> <p>11 flattening it out, which I noted before allowed us to deal</p> <p>12 with a lot of the existing grading issues, which, you know,</p> <p>13 since I've looked at it now more closely, reach slopes of</p> <p>14 one to one, one vertical foot up for, for one vertical, or</p> <p>15 one horizontal foot over. And that's why there's a,</p> <p>16 actually a large staircase leading down the back of the</p> <p>17 property now. But this also got the parking garage. And we</p> <p>18 worked back and forth with the architect on how to figure</p> <p>19 this out. The parking garage elevation is actually four</p> <p>20 feet below the elevation at the property line that it's</p> <p>21 directly facing. And then we, again, we have the additional</p> <p>22 six feet above that. So you're really able to contain and</p> <p>23 deal with a lot of the issues, compatibility issues, if we</p> <p>24 typically look at, at this phase of design. The --</p> <p>25 MR. GROSSMAN: How does the elevation compare from</p>	<p style="text-align: right;">Page 153</p> <p>1 THE WITNESS: The garage entry is --</p> <p>2 MR. GROSSMAN: All right. So it's about --</p> <p>3 THE WITNESS: The back quarter of the building.</p> <p>4 MR. GROSSMAN: -- about three-quarters of the way</p> <p>5 --</p> <p>6 THE WITNESS: Right.</p> <p>7 MR. GROSSMAN: -- from the front to the, to the</p> <p>8 end or so.</p> <p>9 THE WITNESS: The points where the Manor Care</p> <p>10 property ends and the Pauls' residence picks up is, if you</p> <p>11 do a perpendicular to our property line, that ends right at</p> <p>12 about the corner of our building.</p> <p>13 MR. GROSSMAN: Okay.</p> <p>14 THE WITNESS: And where, this is a 30 scale</p> <p>15 drawing. We're up about 10 feet from the areas where the</p> <p>16 parking garage is.</p> <p>17 MR. GROSSMAN: So what's the, what's the elevation</p> <p>18 there?</p> <p>19 THE WITNESS: The elevation is 396 at the parking</p> <p>20 garage. And then it's 398 to 400 across the parking garage</p> <p>21 entrance at the property line. So it's up two to four feet</p> <p>22 here and then it starts sloping as you go along the further</p> <p>23 portion of our southern property line down to a low point</p> <p>24 of, of 380 where we're starting to get by the wetlands and</p> <p>25 the stream valley buffer, the stream.</p>

<p style="text-align: right;">Page 154</p> <p>1 MR. GROSSMAN: Okay. I was just trying to get a 2 sense of the, the building, how imposing the new building 3 would be from the site of the, of the Pauls' residence. 4 THE WITNESS: Understood. So I think our 5 architect can speak more to it. The face of the building 6 towards the property, directly facing their property. 7 That's, you know, roughly, 60 feet across. 8 MR. GROSSMAN: And how high is it at that point? 9 The building itself. 10 THE WITNESS: The building itself, the, the 11 highest point of the, of the peaked roof is 432. 12 MR. GROSSMAN: The peaked roof. Which peaked 13 roof? The -- 14 THE WITNESS: There's basically a -- 15 MR. GROSSMAN: I'm looking, I'm looking now at 16 Exhibit, Exhibit 79 I, which is the extended site section. 17 THE WITNESS: Okay. 18 MR. GROSSMAN: And -- 19 THE WITNESS: So there's -- 20 MR. GROSSMAN: -- you have, you have at the point, 21 the furthest, closest extension of the proposed building to 22 the property line directly in line with the Pauls' 23 residence. 24 THE WITNESS: Um-hmmm. 25 MR. GROSSMAN: You have one, the building that</p>	<p style="text-align: right;">Page 156</p> <p>1 THE WITNESS: No. 2 MR. GROSSMAN: -- to the right of the back, the 3 peak, okay. 4 THE WITNESS: It's, it's, it's 36 feet tall. 5 MR. GROSSMAN: All right. So the, you're saying 6 to the -- 7 THE WITNESS: No. This -- 8 MR. GROSSMAN: From ground level to the peak of 9 the mansard roof is 36 feet? 10 THE WITNESS: Correct. And that height is 11 maintained all the way through this back portion of the 12 building until we get to the, the front wings where it's, 13 where with grade it's stepping up and again, it's, it's 14 three stories with a, with a mansard roof. Or in that, in 15 this case it's got the full gable, gable roof. 16 MR. GROSSMAN: No. As I, as I recall, the 17 applicant was going to reduce the roof level somewhat. Was 18 that in both areas, the, the portion that has the flat roof 19 as well as the portion that is the front of the building? 20 Or where was it going to be reducing the roof? 21 THE WITNESS: I assume if I misspeak, it'll be 22 corrected on the record, but I believe we only changed the 23 elevation of the gables and the roof elements on the front. 24 MR. GROSSMAN: Okay. 25 THE WITNESS: To address any concerns of</p>
<p style="text-align: right;">Page 155</p> <p>1 seems to be a lower height than the main part of your 2 facility. 3 THE WITNESS: Correct. 4 MR. GROSSMAN: So when you say peak, which peak 5 are you talking about? 6 THE WITNESS: There, the peak actually at that 7 point. So although this is a, a flat roof, there is, 8 there's, I don't want to play architect, but it basically, 9 it looks to me, I'd call it a mansard roof. 10 MR. GROSSMAN: Right. 11 THE WITNESS: Around the edge to peak the 12 residential feel of the peaked roofs that are seen in the 13 area. So you go up from the parking garage to two living 14 levels and then there is a, a mansard roof that, that runs 15 around this otherwise flat roof area. 16 MR. GROSSMAN: And yes, what is the height at the 17 peak of the mansard roof? 18 THE WITNESS: From, from there to grade? 19 MR. GROSSMAN: Yes. 20 THE WITNESS: 432 minus -- 21 MR. GROSSMAN: Because I wasn't sure whether you 22 were talking about -- 23 THE WITNESS: 396. 24 MR. GROSSMAN: -- which peak, I thought you might 25 be talking about the peak on the main building --</p>	<p style="text-align: right;">Page 157</p> <p>1 visibility from Falls Road. 2 MR. GROSSMAN: Okay. So ultimately, the specific 3 area that we have concern about with regard to the Pauls' 4 view, is 36 feet tall from ground to the top of the mansard 5 roof? 6 THE WITNESS: Correct. 7 MR. GROSSMAN: Okay. 8 THE WITNESS: And, and that's, that's really what 9 we looked at, you know, in terms of compatibility. You 10 certainly have residential uses next to residential uses and 11 then the golf course, not being a residential use, so use- 12 wise we feel it's compatible. Size and bulk-wise you have 13 60 feet and 36 feet of height. 150 is allowed in the zone. 14 It's quite compatible. 15 MR. GROSSMAN: Sixty feet from -- 16 THE WITNESS: Sixty feet across the back of the -- 17 MR. GROSSMAN: Oh, I see. Sixty feet in width. 18 THE WITNESS: -- roughly, the back across the, end 19 up width of the building. 20 MR. GROSSMAN: Right. 21 THE WITNESS: At that height. Our final, our sort 22 of final look at, at dealing with the issues of 23 compatibility, we're really looking again back to the Code 24 that increased its requirements for screening for 25 conditional uses against residential uses, the lighting.</p>

<p style="text-align: right;">Page 158</p> <p>1 And we went above and beyond those for, for this project. 2 And then, I, I, in our, in our report we talked a 3 bit about the public facilities. We, we have, have, as I 4 noted, have the decreased net traffic impacts. There are no 5 school impacts. We have water and sewer serving the 6 property that are adequate. We also have gas and electric 7 and telecommunications provided. And we have an approved 8 fire and rescue access plan. And one thing I'll note about 9 the fire and rescue access plan, what we have is an ability, 10 and we've run all the movements and gotten this approved by 11 the Fire Marshall, for fire trucks, ambulances, emergency 12 vehicles to come in from Potomac Tennis Lane. They will 13 turn then down in front of the building. There's a 14 turnaround at the end, the northern point of the triangle 15 where they can turn around and exit. We've got our Fire 16 Department connectors and our hydrants and everything in the 17 front. And then we have a walkable path around the service 18 aisle in the back of the building that we worked very 19 closely and negotiated back and forth on how to deal with 20 environmental issues along with that walkable path. So most 21 of the building is served by the walkable path to run 22 firehouses from the trucks, which will use this front area 23 and then any kind of turnaround they need all happens in 24 front of the building. 25 BY MS. GIRARD:</p>	<p style="text-align: right;">Page 160</p> <p>1 THE WITNESS: Did you want to look any further at 2 the fire access? That's pretty straightforward. 3 MR. GROSSMAN: No. 4 MR. CHEN: He wants to talk about the north arrow. 5 MR. GROSSMAN: Yeah. I'm, I'm north arrow 6 directed here. I just want to know why it is that you felt 7 it necessary to switch from the earlier plans you did. The 8 NRI/FSD and the neighborhood view plan both have the north 9 arrow going up and then you switched on almost all of the 10 remainder of the plans to have the north arrow pointing to 11 the right. And then you switched again with the photograph, 12 the aerial photograph, to have north pointed, pointed 13 towards the bottom, although it's not clear from the key 14 that you, and you're going to explain that too in a second. 15 So why did you find it necessary to make that change here? 16 THE WITNESS: Quirks of a designer doesn't really 17 work, right? The -- 18 MR. GROSSMAN: I just, it just seems strange to 19 me. 20 THE WITNESS: It's -- 21 MR. GROSSMAN: I didn't make anybody re-draw 22 anything, but I just, it, it seems to me strange for X, for 23 expository purposes to keep on switching around the 24 direction shown as north unless you have to to fit things 25 in. But this is an equilateral triangle. So it seems to me</p>
<p style="text-align: right;">Page 159</p> <p>1 Q. Is it your testimony then that fire trucks will 2 not be using that service drive on the south side of the 3 parking lot? 4 A. Correct. They don't need to. And they, they 5 won't, they can't turn around. I think that pretty much 6 covered everything we, we had in our, in our land planning 7 report. 8 MR. GROSSMAN: Did the Fire, Fire Department 9 approve that? I can't recall. Approve the turnaround. 10 MS. GIRARD: Yes. 11 MR. GROSSMAN: Okay. 12 MS. GIRARD: It's in the, their approval is -- 13 MR. KAUFMAN: What about this? 14 MS. GIRARD: Bear, in one second. I've got to 15 answer his questions. 16 MR. GROSSMAN: Mr. Sloan, since -- 17 MS. GIRARD: 39B. 18 MR. GROSSMAN: Oh, I'm sorry. I noticed that Mr. 19 Sloan is the one who signed and sealed the, the conditional 20 use plan. So is he the one to explain the, the north/south 21 arrow issue? 22 THE WITNESS: Yes. 23 MR. GROSSMAN: I think, I think his fellow 24 professionals are anointing him as the one to -- 25 MR. CHEN: It's a nice handoff.</p>	<p style="text-align: right;">Page 161</p> <p>1 it would work as well in any direction you had it. Why flip 2 it like, like that? 3 THE WITNESS: We, the, what I'll call analysis 4 inventory drawings, the, the NRI, the surrounding area map, 5 those are basically depictions of existing conditions. 6 They're, they're meant only to convey information about 7 what's there. What's around the site. When we started 8 designing the site, we switched to the north arrow on the 9 right because it, in my mind, it, it tells the story about 10 what's happening better. You approach and you feel like you 11 were in front of the building. In front translates to an up 12 so we just in designing it, I would never have laid the 13 drawing, the plans out on my drawing board with it any other 14 way to design it. And, and once, and I, my guess is the 15 architect felt the same way. Really to think about the 16 design, we laid it out this way and it carried through to 17 the plans because not only thinking this way and designing 18 this way made sense, but also conveying the information to 19 people looking made more sense. It looks very strange when 20 you put the finished design on its side. It feels like it's 21 on the side and you want to kind of look at it with your 22 head tilted. And, and so, rather than risk neck injury, we 23 kept it this way. 24 MR. GROSSMAN: All right. I, I understand your, 25 your point about that, although I still feel that</p>

<p style="text-align: right;">Page 162</p> <p>1 understanding across the board most people are like me and I 2 have to tell you, frankly, most of the professionals who 3 have appeared before me with maps where the north was 4 pointing somewhere other than where you would expect it, 5 constantly make the mistake of where west and east is and 6 they have to be corrected so that the record is not totally 7 confused. So apparently I'm not the only one. 8 THE WITNESS: No. 9 MR. GROSSMAN: But then let's get to the, the 10 aerial. 11 THE WITNESS: The aerial. 12 MR. GROSSMAN: Which had a, a key on it that I do 13 not understand. And I emailed counsel yesterday, I believe 14 it was, to explain that to me. And her response was that 15 the north arrow and the black thing did not, was not 16 supposed to point north. And I didn't really understand 17 that. Can you explain that to me? This is Exhibit 79 H. 18 This is your aerial rendering. 19 THE WITNESS: 79 H. 20 MR. GROSSMAN: That's essentially what you have 21 up, up there now. 22 THE WITNESS: Well, this is the existing 23 conditions, but it's the same -- 24 MR. GROSSMAN: Right. Except that, yes. It's the 25 same view.</p>	<p style="text-align: right;">Page 164</p> <p>1 to waste my time trying to figure out where up is. Okay. I 2 mean it just, it seems to me to be, at the very least, when 3 something is submitted have a key on it that shows where 4 north is. Hopefully, it'll be towards the top, but if it's 5 not, at least I want to know. All right. 6 THE WITNESS: I understand. The, the key plan has 7 the north for the key and then the view so you have to do a 8 two-step process to get to actually which way you're facing. 9 In this case, it's really, it's shown this way because it 10 shows the best relationship to the existing uses. The, the 11 view is to the, you know, the view towards the golf course 12 really didn't show us the relationship we wanted to show as 13 much. 14 MR. GROSSMAN: I understand, but in any event, put 15 a key on that tells us where north is. Okay. 16 BY MS. GIRARD: 17 Q. Did you conclude with walking through? 18 A. Yeah. 19 Q. In, in preparing your, your testimony and your 20 analysis did you have occasion to look at any of the 21 approvals for any of the other special exceptions that are 22 approximate to this location? 23 A. I did. I thought, you know, of course the, the 24 Manor Care approval which is just to our southwest is, was, 25 was interesting because that was a special exception for a</p>
<p style="text-align: right;">Page 163</p> <p>1 THE WITNESS: In, in that view -- 2 MS. GIRARD: This is what, it's not on, and the 3 architect prepared the exhibits so he may be the better 4 person to explain, but -- 5 THE WITNESS: So the aerial in the yellow triangle 6 is what you're asking about? 7 MR. GROSSMAN: No. Well, the arrow, there's an 8 arrow that, in a black circle. 9 THE WITNESS: Oh, right. 10 MR. GROSSMAN: That has an N on it, which I 11 presume that the arrow is pointing north. 12 THE WITNESS: It does for the key. 13 MR. GROSSMAN: Is there something else on, on this 14 photograph that would tell me where north is? 15 THE WITNESS: For the, for the aerial itself, no. 16 No. It, it does not. 17 MR. GROSSMAN: All right. Well, that's what I had 18 asked about, I guess, a few weeks ago. 19 THE WITNESS: So -- 20 MR. GROSSMAN: And the response I got back, well, 21 we'll add the key, directional key for you so you can 22 understand it. Then when I looked it over in preparation 23 for this hearing, I said wait a minute. This is backwards 24 from everything else or it's at least 90 degrees off, where 25 the north arrow is at least 90 degrees off. So I don't want</p>	<p style="text-align: right;">Page 165</p> <p>1 similar related use and read that, that opinion very 2 carefully. 3 Q. And that opinion would be Case No. S-1289? 4 A. Right. 5 MS. GIRARD: We'd like to submit a copy of that to 6 the record. 7 MR. GROSSMAN: Okay. This is Manor Care's Special 8 Exception? 9 MS. GIRARD: Yes. 10 MR. GROSSMAN: Okay. 11 MR. CHEN: What exhibit number are we at? 12 MR. GROSSMAN: We're up to 90 something. Hold on. 13 MR. KAUFMAN: 93. 93, I believe. 14 MR. UHRE: Um-hmmm. 15 MR. GROSSMAN: Up to 93. 16 MR. UHRE: That's the resolution or is that, what 17 is that? 18 MS. GIRARD: That's opinion on -- 19 MR. GROSSMAN: This looks like the County Board of 20 Appeals opinion of the Board, which I guess is a resolution 21 dated, where's the effective date? 22 MS. GIRARD: Oh, it might be on the last page. 23 MR. GROSSMAN: Yeah. It says this 25th day of 24 November 1986 is that, at least that's the certification 25 date. So Exhibit 93 as BOA Opinion. I assume this is</p>

<p style="text-align: right;">Page 166</p> <p>1 granting the special exception. I haven't read this.</p> <p>2 THE WITNESS: It did.</p> <p>3 MR. GROSSMAN: Granting special exception in S-</p> <p>4 1289, Manor Care.</p> <p>5 (Hearing Exhibit No. 93 was</p> <p>6 marked for identification.)</p> <p>7 BY MS. GIRARD:</p> <p>8 Q. And did you briefly want to touch on why you</p> <p>9 thought this was relevant to your analysis?</p> <p>10 MR. GROSSMAN: 11/25/86. Okay.</p> <p>11 THE WITNESS: I read that and, and, in particular</p> <p>12 because it had similar issues of adjacency with residential</p> <p>13 properties that at that time not all of them were, were</p> <p>14 built or approved and, and some built and things. And, and</p> <p>15 they dealt with similar issues although they're site is</p> <p>16 higher than ours. And this is the Manor Care to, to the</p> <p>17 south, their property. Their site is higher. They had much</p> <p>18 less stringent, had no storm water requirements, and less</p> <p>19 stringent forest requirements. Things like that. But they</p> <p>20 also had to deal with the issues of, of noise, compatibility</p> <p>21 of use, of height, and, and how to deal with it. And so, I</p> <p>22 was really interested in specifically what they did to, in</p> <p>23 terms of design solutions to deal with that compatibility.</p> <p>24 And most of it is like we typically see it. It's plantings.</p> <p>25 It's distance. I think their closest building is 60, 60</p>	<p style="text-align: right;">Page 168</p> <p>1 conditional use cause any objectionable illumination or</p> <p>2 physical activity?</p> <p>3 MR. CHEN: Objection. Landscape architect and</p> <p>4 land planner, I don't think there's expertise for</p> <p>5 illumination. I thought we had somebody on the photometric</p> <p>6 anyway.</p> <p>7 MR. GROSSMAN: Well, I mean, he has access to the</p> <p>8 photometric plans. Can't he as a land planner say in his</p> <p>9 opinion whether or not that's objectionable in terms of, and</p> <p>10 it will create the objectionable, you're talking about</p> <p>11 lighting. Correct? That was your --</p> <p>12 MR. CHEN: Yeah. The illumination. Yes, sir.</p> <p>13 MR. GROSSMAN: Yes. And, and can't, isn't that</p> <p>14 part of his function as the land planner in determining</p> <p>15 compatibility to look at the amount of light that's going to</p> <p>16 be produced and, and make a, give an opinion as to whether</p> <p>17 or not it will unduly impact on the surrounding area?</p> <p>18 MR. CHEN: Well, if, excepting your question by</p> <p>19 looking by looking at the photometric, all that states, and</p> <p>20 I, at least I, I derive from it was that it complies with</p> <p>21 the ordinance requirements of candle power at the boundary</p> <p>22 line.</p> <p>23 MR. GROSSMAN: It does.</p> <p>24 MR. CHEN: I, I don't think that is sufficient to</p> <p>25 formulate an, an, a professional opinion on, as to this</p>
<p style="text-align: right;">Page 167</p> <p>1 feet from the property line. When we go back in a straight</p> <p>2 shot here, we're 130 something. It's thinner than that</p> <p>3 across from Manor Care, of course. But in terms of the</p> <p>4 landscaping, the, the, any kind of mitigation that they</p> <p>5 needed to do. Just to see what was approved. I thought we</p> <p>6 did, well, a better job, but at least as, as good.</p> <p>7 MR. GROSSMAN: Okay.</p> <p>8 BY MS. GIRARD:</p> <p>9 Q. Okay, Mr. Sloan. In your opinion as an expert in</p> <p>10 land planning and landscape architecture, would the proposed</p> <p>11 conditional use comply with the standards and requirements</p> <p>12 of a RA-2 Zone, Section 59-3.3.2.E of the Zoning Ordinance</p> <p>13 governing residential care facility conditional uses and</p> <p>14 Section 59, oh, G.7. That's not right. So 59-7.3 of the</p> <p>15 Zoning Ordinance governing conditional uses in general?</p> <p>16 A. It does. We, we have put on the development</p> <p>17 tabulations on the conditional use plan all of the</p> <p>18 specifications that it, that it does need. Each conditional</p> <p>19 use now comes along with its, its own conditional use</p> <p>20 standards that are in addition to the development standards</p> <p>21 of the zone and we have met all of those. It also complies</p> <p>22 with all of the related requirements for 59-6, which are the</p> <p>23 parking, the screening requirements, the lighting and</p> <p>24 landscaping, all of those.</p> <p>25 Q. And in your opinion, would the proposed</p>	<p style="text-align: right;">Page 169</p> <p>1 question.</p> <p>2 MS. GIRARD: He also spoke to, he designed the,</p> <p>3 the perimeter lighting and spoke to it in his testimony.</p> <p>4 MR. GROSSMAN: Yeah, well, to shorten all this,</p> <p>5 I'm going to overrule your objection. I think he, it's</p> <p>6 perfectly within his purview to give an opinion on this</p> <p>7 issue.</p> <p>8 THE WITNESS: Yes. We, we chose all of the, the</p> <p>9 elements and, and the landscape including the lighting, the</p> <p>10 fencing, the plantings to deal with any of those potential</p> <p>11 adverse impacts and to make sure that they actually did not</p> <p>12 have any.</p> <p>13 MR. GROSSMAN: All right. So that everybody</p> <p>14 understands what we're talking about, the requirements is a</p> <p>15 specific requirement in the Zoning Ordinance when your</p> <p>16 facility is next to a single family residential area that at</p> <p>17 the property line that the measurement of foot candles is</p> <p>18 0.1 or less. And I've looked carefully at the photometric</p> <p>19 plan to, to see that that was the case. There's a general</p> <p>20 requirement also, but it's, but it's less stringent than</p> <p>21 that. And then there are other requirements that bear on</p> <p>22 this in terms of, of glare and so on, but that's the</p> <p>23 mathematical requirement. All right.</p> <p>24 BY MS. GIRARD:</p> <p>25 Q. And in your opinion, Mr. Sloan, will the proposed</p>

<p style="text-align: right;">Page 170</p> <p>1 conditional use be harmonious with the character of the 2 surrounding neighborhood?</p> <p>3 A. Yes. The site was carefully designed with a 4 residential feel, a, a design style with massing 5 articulation that the architect will speak about. And also 6 the limits on the intensity of activity that keeps it in 7 harmony with the, with the surrounding area.</p> <p>8 Q. In your, in your opinion, will the proposed 9 conditional use cause undue harm to the use, peaceful 10 enjoyment or development potential of abutting and 11 confronting properties in the general neighborhood?</p> <p>12 A. No. I don't think it will. We've provided all of 13 the necessary and, and beyond the necessary screening, 14 setbacks, fencing, lighting controls to, to insure that no 15 undue harm for uses will occur.</p> <p>16 Q. And in a similar vein, in your opinion, will the 17 proposed conditional use cause any undue harm to the health, 18 safety or welfare of neighboring residents, visitors or 19 employees?</p> <p>20 A. No. It will not.</p> <p>21 Q. In your opinion, will the conditional use in and 22 of itself or in combination with other existing uses affect 23 adversity or change the present character or future 24 development of the surrounding residential community?</p> <p>25 A. No. I don't believe it will. This is in, in</p>	<p style="text-align: right;">Page 172</p> <p>1 A. We're proposing 140 beds or 120 units. Look at 2 the development tabulations on the conditional use plan. 3 And what the breakout is. We are, you could do 140 beds.</p> <p>4 Q. So you're at maximum?</p> <p>5 A. Right.</p> <p>6 Q. As I understand the testimony, you designed the 7 perimeter lighting. Is that correct, Mr. Sloan?</p> <p>8 A. The site lighting.</p> <p>9 Q. Site lighting. So the perimeter and the entire 10 site then?</p> <p>11 A. It's the individual fixtures that are within the 12 site. Not on the building. These are, these are lamps in 13 the landscape.</p> <p>14 Q. Would these be all exterior lights?</p> <p>15 A. They are.</p> <p>16 Q. Okay. Would there be any lighting at the entrance 17 to the garage? Exterior lighting.</p> <p>18 A. I can pull the elevation and, and see whether or 19 not there are, but that's an architectural question.</p> <p>20 Q. Well, I'm a little bit confused and I, and if, I, 21 I don't want to take you outside what you did, but I, and if 22 I'm mistaken, please correct me. I understood that you had 23 designed the exterior lighting for the facility.</p> <p>24 A. The site lighting for the facility is --</p> <p>25 Q. Just for the site. Not the building.</p>
<p style="text-align: right;">Page 171</p> <p>1 character with the residential nature of, of the area and I 2 think actually enhances it quite a bit from, from the 3 existing use.</p> <p>4 Q. And in your expert opinion as a land planner, is 5 the proposed conditional use suitable for the site and 6 compatible with the surrounding neighborhood?</p> <p>7 A. It is. I think it's a, a great site for senior 8 housing to be placed for people to age in place and improve 9 the, improve the area for all.</p> <p>10 MS. GIRARD: That's all we have.</p> <p>11 MR. GROSSMAN: All right. Let's have Mr. Chen 12 first then this time.</p> <p>13 MR. CHEN: I have a quick question.</p> <p>14 MR. GROSSMAN: Cross-examination.</p> <p>15 CROSS-EXAMINATION</p> <p>16 BY MR. CHEN:</p> <p>17 Q. Are there going to be windows in the building?</p> <p>18 A. I'm not the architect, but I've seen them on the 19 elevations.</p> <p>20 Q. So that, do we have, did you do any illumination 21 evaluation about the windows that would be seen at night on 22 this property?</p> <p>23 A. I did not.</p> <p>24 Q. As I understand it, the number of dwelling units 25 in this facility is at the maximum density. Is that right?</p>	<p style="text-align: right;">Page 173</p> <p>1 A. That's correct.</p> <p>2 Q. Okay. Thank you. What is the site lighting along 3 the service drive?</p> <p>4 A. There are, again looking at the conditional plan, 5 coming along the service drive, there are lights along, near 6 the entrance where the, basically a V- in the drive aisle 7 split to the eastern property line and along the southern 8 property line. There are a couple pole lights along the 9 sidewalk parallel in the eastern property line. There are a 10 couple pole lights. These are, there are lights that, you 11 know, stand outside, pedestrian scaled smaller lights. They 12 run down the walkway adjacent to the building on its south 13 side. And then the last site lights are within the pergola. 14 These are fixtures that hang down from the, from the pergola 15 facing into the southern courtyard. There are no landscape 16 lights beyond that.</p> <p>17 Q. Are there any other types of lights beyond that?</p> <p>18 A. If they are, they, they would be on the building.</p> <p>19 Q. And that would not be within your purview?</p> <p>20 A. It would not.</p> <p>21 Q. Okay. What are the chillers?</p> <p>22 A. Excuse me?</p> <p>23 Q. You mentioned that behind the 14 foot masonry 24 wall, what are the chillers?</p> <p>25 A. So there are, I don't know where the plan --</p>

<p style="text-align: right;">Page 174</p> <p>1 MS. GIRARD: Here you go. It was working just --</p> <p>2 THE WITNESS: Oh, was it?</p> <p>3 MS. GIRARD: Yeah.</p> <p>4 THE WITNESS: Oh. So there are, there's</p> <p>5 mechanical equipment at the western end of the building</p> <p>6 that's simply by the fact that I read it as a chiller is</p> <p>7 located there. But I don't know what a chiller is. I'm</p> <p>8 assuming it makes things cold.</p> <p>9 BY MR. CHEN:</p> <p>10 Q. All that you know is that there is some kind of</p> <p>11 mechanical equipment behind the 14 foot masonry wall?</p> <p>12 A. Correct.</p> <p>13 Q. Are there, is there any other equipment other than</p> <p>14 that equipment behind the 14 foot masonry wall?</p> <p>15 A. There may be.</p> <p>16 Q. Okay. Who would know if there is any other</p> <p>17 exterior or outside equipment?</p> <p>18 A. I would defer to the architect.</p> <p>19 Q. So that 14 foot wall, is it just a, is it enclosed</p> <p>20 area or just a 14 foot wall?</p> <p>21 A. It is not enclosed in terms of climate control.</p> <p>22 It's open air. The 14 foot wall is an L-. It's open to the</p> <p>23 sky and it's open to, to the north.</p> <p>24 Q. And as I understand your testimony, you don't know</p> <p>25 what it is, you just know there's something there?</p>	<p style="text-align: right;">Page 176</p> <p>1 Environmental Planner at the County. To make our assessment</p> <p>2 of that and added it per her request.</p> <p>3 Q. And are you aware of any storm water discharge on</p> <p>4 to the Paul property at the present time?</p> <p>5 A. Our engineers should speak to it more, but I</p> <p>6 believe there's an outfall near the corner of the property,</p> <p>7 the eastern point of the property. And, and then sheet</p> <p>8 runoff generally.</p> <p>9 Q. I take it though that while you're aware of that,</p> <p>10 you're not aware of any of the circumstances as to whether</p> <p>11 or not that outfall in any way contributes to the wetland on</p> <p>12 the Paul property? Since you weren't there, you didn't</p> <p>13 investigate it, I take it.</p> <p>14 A. Well, any, any water runoff and our engineer will</p> <p>15 speak to the drainage patterns and movement that goes to</p> <p>16 that, towards that will augment the, the nature of the</p> <p>17 wetland.</p> <p>18 Q. Okay. Thank you. You mentioned that there was</p> <p>19 landscape buffer along the service drive. Do you recall</p> <p>20 that testimony, sir?</p> <p>21 A. Yes.</p> <p>22 Q. If, if you could, could you, and I apologize if</p> <p>23 I'm repeating it, but I'd like you to explain to us what is</p> <p>24 the, what constitutes landscape buffer along the service</p> <p>25 drive? Particularly what it will consist of.</p>
<p style="text-align: right;">Page 175</p> <p>1 A. I know what the wall is. And how we designed, but</p> <p>2 not what's, not exactly what's behind it.</p> <p>3 Q. Okay. By the way, were there any unique</p> <p>4 constraints associated with the Manor Care special</p> <p>5 exception?</p> <p>6 A. Were there unique constraints?</p> <p>7 Q. Yeah. Anything on that site or the adjacent</p> <p>8 properties involved in that decision or that special</p> <p>9 exception?</p> <p>10 A. I don't believe of any, I don't believe there were</p> <p>11 any particular unique constraints. There were certainly</p> <p>12 issues of the different elevation, the proximity of building</p> <p>13 to property line, building to building. But no specific</p> <p>14 unique constraints that I remember.</p> <p>15 Q. And you mentioned that there was wetland on the</p> <p>16 Paul property. Correct?</p> <p>17 A. Correct.</p> <p>18 Q. And is it your testimony that that wetland has</p> <p>19 been created solely by the Manor Care special exception</p> <p>20 activity?</p> <p>21 A. I don't know that it has been solely created by</p> <p>22 that. It certainly has been, well, augmented by it. It may</p> <p>23 have existed there before with weeps or springs. We did not</p> <p>24 ask or were not, we did not go on the property. We work</p> <p>25 with the Environmental Planner to make our assessment. The</p>	<p style="text-align: right;">Page 177</p> <p>1 A. So turn to the schematic landscape and lighting</p> <p>2 plan.</p> <p>3 MR. KAUFMAN: Let's get the number. Let's get the</p> <p>4 number.</p> <p>5 MR. CHEN: What exhibit is that?</p> <p>6 MS. GIRARD: We're working on it. 79 C.</p> <p>7 MR. CHEN: Thank you.</p> <p>8 THE WITNESS: So this shows the, the planting</p> <p>9 layout and, and some of the amenities. With regard to the</p> <p>10 specific question, we have a requirement to provide a</p> <p>11 certain number of deciduous trees, evergreen trees, shrubs</p> <p>12 of different types under the Code. And we've laid this out</p> <p>13 with basically a sort of undulating pattern of primary</p> <p>14 deciduous shade trees interspersed with ornamental trees,</p> <p>15 evergreens and then foreground of, of different types of</p> <p>16 shrubs. Do you want me to focus particularly on the</p> <p>17 property, shared property line?</p> <p>18 BY MR. CHEN:</p> <p>19 Q. Sure you could do that?</p> <p>20 A. So at the very far western point of the, of the</p> <p>21 property the site is very narrow. The stream valley buffer</p> <p>22 that we need to respect comes very close to the property</p> <p>23 line before it sweeps up to the building. So we also have</p> <p>24 an, an outfall here to help recharge after filtration of the</p> <p>25 stream valley that's further below. Working around those</p>

<p style="text-align: right;">Page 178</p> <p>1 constraints, we, we start with some deciduous trees and 2 three at the lower or at the western corner are emerald 3 green arborvitae. These, these are taller, taller 4 evergreens. These are interspersed with the Rhododendron 5 Maximum, which is the, an evergreen shrub that I described. 6 And then in between those are our American Hollies which are 7 an evergreen native tree. And in front of that we've got 8 different deciduous shrubs for color, interest, berries. 9 All of these are natives and we're really trying to tie in 10 to the forest conservation area. 11 Q. Is the, as I understand the plan, the discharge 12 point has an area of riprap. Is that correct? 13 A. It will have some stones to stabilize so we don't 14 have an erosion problem. 15 Q. Okay. And what is the purpose of the riprap area? 16 A. Stabilizing the soil so that we don't have erosion 17 and sedimentation of the stream further down. 18 Q. And that area is within the buffer area? 19 A. It is not. It's just outside. 20 Q. Okay. And how wide is the buffer area between the 21 Paul property line and the service road area? 22 A. The landscape buffer? 23 Q. Yes. 24 A. The landscape buffer, I'd have to scale it, but I 25 believe it's 15 feet.</p>	<p style="text-align: right;">Page 180</p> <p>1 they're, you're implying that even though they're just 2 guidelines, or just in quotes, that, and they're technically 3 guidelines, you're implying that there's more enforce, 4 enforcement. 5 THE WITNESS: In my time working there and in 6 submitting plans, I have, I've rarely seen any allowance for 7 encroachment into a stream valley buffer. We do it 8 typically only when there's, there's no other way for 9 development. In some cases, like we have here, we have a 10 storm drain outfall which is actually because this is a 11 recharge area. 12 BY MR. CHEN: 13 Q. When you say here, I think you need to identify 14 where you mean by here. 15 A. Sorry. The storm drain outfall that we're 16 proposing in the stream valley buffer is a third of the way 17 along, from the apex moving east along the northern property 18 line. And that's, that's because it also acting as a 19 recharge. So it has ecological value there. But we rarely 20 if ever get any encroachments allowed in a stream valley 21 buffer. And this particular one is, because we have some 22 steep slopes around the northern property line, it's a 23 little bit larger than usual, but our forest conservation is 24 all within the, the typical area for a stream valley buffer. 25 Q. And am I correct in understanding therefore that</p>
<p style="text-align: right;">Page 179</p> <p>1 Q. So the landscape buffer is 15 feet from the Paul 2 property line. Beyond that 15 feet, what is there on the 3 site? Is there a curb for the drive or is it something 4 else? 5 A. Beyond that 15 feet is the turnaround near the 6 trash enclosure. The drive aisle and for, well, right at 7 the apex, the building. 8 Q. As I understand it, the current special exception 9 for the tennis court has encroached into the buffer area of 10 the stream valley. Is that correct? 11 A. There are existing improvements in the stream 12 valley on the northern property line. 13 Q. I, what are those improvements? 14 A. There's tennis courts. There's a building. There 15 are some odd structures, retaining walls, outfalls for a 16 storm drain. That's about it. 17 Q. Is there any law prohibiting improvements in the, 18 in the stream valley buffer area? 19 A. The stream valley buffers are, are protected 20 under, under the Environmental Guidelines. It's not a 21 statute. 22 Q. They're just guidelines. 23 A. They, they are technically guidelines. 24 Q. Okay. 25 MR. GROSSMAN: What does that mean when you say</p>	<p style="text-align: right;">Page 181</p> <p>1 when you met with the Technical Staff at Park and Planning 2 that they did not want to have any improvements in the 3 stream buffer area? 4 A. Correct. 5 Q. And was that position expressed in conjunction 6 with not only the conditional use application but also in 7 conjunction with the Forest Conservation Plan? 8 A. Yes. 9 MR. GROSSMAN: Was there an objection made by 10 Staff to the particular storm water management outfall or 11 whatever it is that you have encroaching into the, into the 12 buffer? 13 THE WITNESS: No. 14 MR. GROSSMAN: Okay. So they did not object to 15 that, you're saying? 16 THE WITNESS: No. That was, that was worked out 17 well before we had our, our approval. 18 Q. Okay. 19 BY MR. CHEN: 20 Q. And I think that as I understand the report that 21 was filed. I think it was in the VIKA Report. That upon 22 approval of this conditional use, those existing 23 improvements would be removed from the site. Is that 24 correct? 25 A. Correct.</p>

<p style="text-align: right;">Page 182</p> <p>1 Q. Along with all the other improvements on the site 2 that are used for the current special exception for the 3 tennis club. 4 A. Correct. 5 Q. How did you get the elevation for the Paul 6 property? How did you determine that? 7 A. I would need the architect to prepare the 8 elevation to confirm. Typically for these studies we use 9 GIS maps that are provided by the County. 10 Q. Your testimony, however, you said it was a 378. 11 Am I correct on that? 12 A. Correct. 13 Q. And where did you get that number from? Is that 14 from the GIS you did or was it on the architect -- 15 A. The extended site section. 16 Q. Is that, is that where you got it? 17 MR. GROSSMAN: Yeah, there's a -- 18 MR. CHEN: Okay. 19 MR. GROSSMAN: Exhibit 79 I has that figure. 20 BY MR. CHEN: 21 Q. Okay. You took it off of Exhibit 79 I then? Is 22 that correct, sir? 23 A. Yes. 24 Q. Okay. Ms. Bacon testified that there would be 25 salt bags stored in the garage area. Do you recall that</p>	<p style="text-align: right;">Page 184</p> <p>1 in the westward direction, maybe that's what I'm saying. At 2 the apex, there's an existing garage. Isn't that correct? 3 A. On the existing condition? 4 Q. Yeah. Maybe I'm mischaracterizing. I thought it 5 was a storage shed. Maybe. Is that it? 6 A. So I'm looking at the Natural Resources Inventory 7 again. In my mind, it was more of a storage shed. 8 Q. Okay. I apologize. 9 A. Towards the building here. 10 Q. And I take it, strike that. One second, please. 11 Oh, Mr. Sloan, as I understand your testimony, you've not 12 had occasion to ascertain any of the locations of the 13 interior living quarters of the Paul property because you 14 haven't been on the property, is that right? 15 A. Correct. 16 Q. Okay. What other three-story buildings are there 17 in the neighborhood? 18 A. There's a, in the immediate neighborhood there's a 19 portion of the Manor Care that is three stories. There are 20 other houses along, along Falls Road. There are no nearby 21 houses within sight of this that, that are three story. 22 Q. Are you aware of the portion of the Manor Care 23 area, now I know it as Arden Courts. You, does that name 24 identify to you the area that I'm, about which I'm speaking? 25 A. Arden Courts? No. Is that the one in front?</p>
<p style="text-align: right;">Page 183</p> <p>1 testimony? 2 A. I do. 3 Q. I take it, where, where would the salt, after an 4 ice event or for, after it served its purpose, what, if 5 anything, would happen to the salt? 6 A. After it was dissolved? 7 Q. Yeah. 8 A. Well, under the drainage it would go with the 9 water into the storm water management facilities. 10 Q. So that after it was used on the service drive and 11 it was in liquid form, it would drain out in accordance with 12 the storm water management plan that the applicant has 13 proposed. Is that correct? 14 A. I believe so. 15 Q. Are you aware of whether there is any use of that 16 type of material, salt, in this area with the current 17 special exception? 18 A. I'm not. 19 Q. Is there any road back in that corner that would 20 utilize salt, to your knowledge? 21 A. It certainly could. There's an existing driveway 22 and parking area and turnaround. 23 Q. There's an existing garage there now, isn't that 24 right, sir? Right at the, or I guess depending upon the 25 direction you're, you're looking at, but if you're looking</p>	<p style="text-align: right;">Page 185</p> <p>1 Q. What's, if you go to, maybe I can do it this way. 2 Excuse me. 3 MR. GROSSMAN: There is a neighborhood map that 4 Mr. Sloan was referencing. Would that help? 5 MR. CHEN: I think this may for illustrative 6 purposes be better. 7 MR. GROSSMAN: Okay. 8 BY MR. CHEN: 9 Q. I'm looking at Exhibit 90. I'm pointing to the 10 general area of the other senior assisted living facility. 11 And you, you identified it, as I recollect in your 12 testimony, about the neighborhood. Do you recall that, sir? 13 A. Right. 14 Q. I'm pointing out to the buildings that are closest 15 to the Paul property. Do you see those buildings, sir? 16 A. Yes. 17 Q. How many stories are those? 18 A. I believe those are two stories. 19 Q. And how close are they to the Paul property? If 20 you know. 21 A. I think they are 60 feet or so. 22 Q. Are those part of Manor Care? 23 MR. GROSSMAN: I'll ask Mr. Sloan -- 24 MR. CHEN: The reason why I, the reason why I 25 asked the question initially the way I did is when you've</p>

<p style="text-align: right;">Page 186</p> <p>1 gone, it says Arden Courts, but I think Mr. Sloan may have</p> <p>2 the same ignorance. We don't know if it's related to the</p> <p>3 Manor Care operation or, I, I just don't know.</p> <p>4 MR. GROSSMAN: Mr. Sloan, do you know if those are</p> <p>5 part of Manor Care?</p> <p>6 THE WITNESS: The property is, is only one, is</p> <p>7 only one lot and it's all owned by Manor Care. So I assumed</p> <p>8 they were.</p> <p>9 MR. GROSSMAN: I see. Okay.</p> <p>10 MR. KAUFMAN: It's probably in the opinion as</p> <p>11 well.</p> <p>12 MR. GROSSMAN: Okay.</p> <p>13 THE WITNESS: The opinion approved two buildings,</p> <p>14 the three story and the two story.</p> <p>15 BY MR. CHEN:</p> <p>16 Q. Just one other, the Exhibit 90, you don't know the</p> <p>17 date on which that photograph was taken. Is that correct,</p> <p>18 sir?</p> <p>19 A. That is correct.</p> <p>20 Q. Has there been any improvements made to that</p> <p>21 photograph, such as including landscaping or trees or</p> <p>22 anything to your knowledge?</p> <p>23 A. The existing aerial view. I don't know.</p> <p>24 Q. You don't know?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 188</p> <p>1 MS. GIRARD: You can see the comparison. It was</p> <p>2 more just to be apples to apples, but he can go through</p> <p>3 that.</p> <p>4 MR. KAUFMAN: Just to clarify. That happened</p> <p>5 probably in the last few days and I just wasn't aware of it.</p> <p>6 MR. GROSSMAN: All right.</p> <p>7 MR. CHEN: I'm done.</p> <p>8 MR. GROSSMAN: Okay. Mr. Uhre, you have any</p> <p>9 questions?</p> <p>10 MR. UHRE: Yes, I do. Thank you.</p> <p>11 MR. GROSSMAN: All right.</p> <p>12 CROSS-EXAMINATION</p> <p>13 BY MR. UHRE:</p> <p>14 Q. The Exhibit 90 shows a tennis bubble. Are you</p> <p>15 aware that that, is that tennis bubble up all year round?</p> <p>16 A. I don't believe so, but I only say that because</p> <p>17 there are a number of the cases at the Planning Board about</p> <p>18 when it was and when it couldn't be up and all sorts of</p> <p>19 things.</p> <p>20 Q. I'm sorry. I can't hear you.</p> <p>21 MR. GROSSMAN: He couldn't hear what you said.</p> <p>22 BY MR. UHRE:</p> <p>23 Q. I couldn't hear what you said.</p> <p>24 MR. GROSSMAN: Can you speak up, please?</p> <p>25 THE WITNESS: I don't believe it was, it, it is up</p>
<p style="text-align: right;">Page 187</p> <p>1 Q. Did, where did you get that exhibit?</p> <p>2 A. That was produced by our architect.</p> <p>3 Q. Oh, okay.</p> <p>4 MR. GROSSMAN: Let me ask counsel that question.</p> <p>5 Has, that's Exhibit 90 up there?</p> <p>6 MS. GIRARD: Yes.</p> <p>7 MR. GROSSMAN: Has that been modified at all from</p> <p>8 the Google --</p> <p>9 MR. KAUFMAN: To our knowledge, no.</p> <p>10 MS. GIRARD: The, yes.</p> <p>11 MR. KAUFMAN: Well, oh, I'm sorry.</p> <p>12 MS. GIRARD: The architect will speak to that.</p> <p>13 There was, the trees, the, we're talking about Exhibit 90.</p> <p>14 The trees were greened up a little bit to make them the same</p> <p>15 season --</p> <p>16 MR. KAUFMAN: Oh, sorry.</p> <p>17 MS. GIRARD: -- as the other oblique that we had</p> <p>18 submitted. It actually looks a lot more barren than that in</p> <p>19 the straight aerial and he can provide that as well.</p> <p>20 MR. KAUFMAN: I apologize.</p> <p>21 MS. GIRARD: But he's going to speak to that.</p> <p>22 MR. GROSSMAN: He, he has the straight aerial that</p> <p>23 he can provide as well?</p> <p>24 MS. GIRARD: Yes.</p> <p>25 MR. GROSSMAN: Okay.</p>	<p style="text-align: right;">Page 189</p> <p>1 all of the time.</p> <p>2 BY MR. UHRE:</p> <p>3 Q. Do you know what, is there a condition on the</p> <p>4 current special exception relating to the tennis bubble?</p> <p>5 A. I'm sure there is. I didn't work on it.</p> <p>6 Q. You didn't examine that? So you don't know how</p> <p>7 many months of the year the tennis bubble was up --</p> <p>8 A. I don't.</p> <p>9 Q. -- on the existing facility? And are you aware</p> <p>10 that there, did you attempt to find other pictures on Google</p> <p>11 Earth without the tennis bubble?</p> <p>12 A. I did not.</p> <p>13 Q. Do you know if any exist?</p> <p>14 A. No.</p> <p>15 Q. Okay. Turning to the conditional site plan. Do</p> <p>16 you know where the trash pickup is now currently for the</p> <p>17 tennis facility?</p> <p>18 A. For the tennis facility. No.</p> <p>19 Q. You're not aware of where the trash is located?</p> <p>20 So if I told you it was right by the front driveway that</p> <p>21 wouldn't --</p> <p>22 MS. GIRARD: He already answered that he doesn't</p> <p>23 know.</p> <p>24 MR. UHRE: Okay. Okay.</p> <p>25 BY MR. UHRE:</p>

<p style="text-align: right;">Page 190</p> <p>1 Q. On the service road going back to, that runs, the</p> <p>2 service road that runs along on the initial path, can you</p> <p>3 tell me what the slope, the down slope is going into where</p> <p>4 the loading zone is on the service alley?</p> <p>5 MR. GROSSMAN: The down slope from where to where</p> <p>6 on there?</p> <p>7 BY MR. UHRE:</p> <p>8 Q. The down slope from, well, there's a, on the site</p> <p>9 plan, going back from where the entrance to the garage</p> <p>10 approximately 50 feet or so, can you tell me what, no, the</p> <p>11 other way. I'm sorry.</p> <p>12 MR. GROSSMAN: Okay. Towards, from the, from the</p> <p>13 back of the property to the, towards the front of the</p> <p>14 property.</p> <p>15 MR. UHRE: Correct.</p> <p>16 MR. GROSSMAN: Along the southern drive.</p> <p>17 THE WITNESS: So mid-point.</p> <p>18 BY MR. UHRE:</p> <p>19 Q. Mid-point.</p> <p>20 A. On the southern building. The southern building</p> <p>21 face. The elevation at the building.</p> <p>22 Q. No. I'm asking for the slope, the grade of the</p> <p>23 service, service road. It's a down, it's a down slope, I</p> <p>24 believe.</p> <p>25 A. It is 8.89 percent.</p>	<p style="text-align: right;">Page 192</p> <p>1 so I'd have to look at that.</p> <p>2 Q. Okay. But we don't know for sure on the site plan</p> <p>3 where the loading zone is. Is that correct?</p> <p>4 A. It is on the side between the tangent of the, on</p> <p>5 the service road between the tangent of the radius that goes</p> <p>6 into the parking garage. Moving east, it will be somewhere</p> <p>7 along the service road there.</p> <p>8 MR. GROSSMAN: Just so I think I understand the</p> <p>9 answer. It's not right at the garage entry. Is that what</p> <p>10 you're saying? It is, it is somewhat to the --</p> <p>11 MR. UHRE: Right of it.</p> <p>12 THE WITNESS: To the right. Yeah. To the east.</p> <p>13 MR. GROSSMAN: To the east of it.</p> <p>14 BY MR. UHRE:</p> <p>15 Q. So you're saying it's right, right below the</p> <p>16 garage entrance here?</p> <p>17 A. From here to here, we're going to put it in</p> <p>18 somewhere there.</p> <p>19 Q. Okay. And this would be the load, this would be</p> <p>20 the loading zone dock then right in this area?</p> <p>21 A. We're not going to have a dock.</p> <p>22 Q. The entrance for the loading.</p> <p>23 A. There's a door, double doors right where the</p> <p>24 crease of the building is. There are double doors there.</p> <p>25 Q. Following up on the, on the stream valley buffer.</p>
<p style="text-align: right;">Page 191</p> <p>1 Q. Approximately 9 percent. And can you tell me</p> <p>2 where the loading zone is on the site plan?</p> <p>3 A. The loading is planned to be on the side by the</p> <p>4 entrance into the parking and storage area.</p> <p>5 Q. But does it appear on that site plan?</p> <p>6 A. No.</p> <p>7 Q. So the loading zone is going to be part of the</p> <p>8 service road?</p> <p>9 A. Correct.</p> <p>10 Q. And it is your testimony that that conforms with</p> <p>11 Zoning Code?</p> <p>12 A. There are no design standards for, for, for those,</p> <p>13 that type of loading. You decide what kind of truck you</p> <p>14 need to service your building and provide those and have it</p> <p>15 approved by, by Technical Staff.</p> <p>16 Q. And what is the size of the loading zone?</p> <p>17 A. It'll depend on which trucks we, we think we need</p> <p>18 to accommodate. At final engineering, we'll determine the</p> <p>19 size and get that permitted.</p> <p>20 Q. Isn't there a size in the Code that the loading</p> <p>21 zone has to be?</p> <p>22 A. There, there is for several uses. I don't</p> <p>23 remember whether or not for a, this particular conditional</p> <p>24 use they indicate. It's typically a residential is per</p> <p>25 building, but this isn't a residential use in the same sense</p>	<p style="text-align: right;">Page 193</p> <p>1 Is it, were you, I wanted some clarification. Are you, let</p> <p>2 me rephrase. Would it be possible, in your opinion, to put</p> <p>3 the service road on the other side, the golf course side of</p> <p>4 this structure?</p> <p>5 A. No.</p> <p>6 Q. And why would that be?</p> <p>7 A. We would have intrusions into the stream valley</p> <p>8 buffer. We've got further significant trees that we want to</p> <p>9 protect. And we have got the steeper slopes on this side.</p> <p>10 Q. So it's fair to say that the characteristics of</p> <p>11 the site cause you to put the, the service road where it's</p> <p>12 located on this plan?</p> <p>13 A. The conjunction of the building, the circulation</p> <p>14 pattern and the open space determines that in total. We</p> <p>15 also are just dealing with basic issues that we have to with</p> <p>16 the setbacks required by the Code that are required of any,</p> <p>17 any building, the screening requirements that are required</p> <p>18 by the Code that would be required no matter what, and the</p> <p>19 fact that we wanted to actually use this space because this</p> <p>20 is lower than the property line as an increased setback from</p> <p>21 the residential uses to the west.</p> <p>22 Q. The wetlands that are shown on the Pauls'</p> <p>23 property. How were they, how were they determined as it</p> <p>24 relates to location?</p> <p>25 A. These specific wetlands that we could not access,</p>

<p style="text-align: right;">Page 194</p> <p>1 they were determined by Environmental Planning Staff. Their</p> <p>2 location and extent.</p> <p>3 Q. What's Environmental Planning Staff?</p> <p>4 A. The Environmental Planner at Maryland National</p> <p>5 Capital Park and Planning Commission who approves the plan</p> <p>6 that we submit for Natural Resources Inventory walked the</p> <p>7 site with us and basically pointing, after walking up</p> <p>8 through these stairs and things, and indicating on the plan</p> <p>9 a visual inspection led her to believe and we agreed based</p> <p>10 on at least the presence of, of water and, and the soils</p> <p>11 that are around here that this was a wetland. And so we</p> <p>12 delineated on the plan as such.</p> <p>13 Q. But you didn't actually go on to the Pauls'</p> <p>14 property. You were doing this all visually from the, this</p> <p>15 proposed site.</p> <p>16 A. Correct.</p> <p>17 Q. So the wetlands in fact could be closer to the</p> <p>18 site on the Pauls' property if you actually walked the,</p> <p>19 walked the property. Would that be correct?</p> <p>20 A. You could have an on-site inspection that may</p> <p>21 alter these.</p> <p>22 Q. Okay. I'd like to turn now to the, the new</p> <p>23 turnaround plan that we presented.</p> <p>24 MR. GROSSMAN: Before you get to that, Mr. Uhre,</p> <p>25 I'm glad you asked, asked the question about where the</p>	<p style="text-align: right;">Page 196</p> <p>1 MS. GIRARD: I have a very official scale here.</p> <p>2 MR. GROSSMAN: From that door --</p> <p>3 MR. CHEN: Mr. Examiner, what exhibit are you on?</p> <p>4 MR. GROSSMAN: I'm on the conditional use plan,</p> <p>5 Exhibit 79 A I, which has a scale on it of one inch equals</p> <p>6 30 feet.</p> <p>7 And so, if I understand your testimony, Mr. Sloan,</p> <p>8 from those two arrows on the inside there, which would be a</p> <p>9 door, to --</p> <p>10 THE WITNESS: To that apex.</p> <p>11 MR. GROSSMAN: And, and carrying that out to the</p> <p>12 drive aisle, so from that portion of the drive aisle up to</p> <p>13 that little corner where it meets the Paul property --</p> <p>14 THE WITNESS: Yes.</p> <p>15 MR. GROSSMAN: -- is, is between two and three</p> <p>16 inches. Is that --</p> <p>17 THE WITNESS: It's almost exactly. It's just over</p> <p>18 90 feet.</p> <p>19 MR. GROSSMAN: Okay. All right. Thank you.</p> <p>20 MR. CHEN: Mr. Examiner, do you have the distance</p> <p>21 for the garage entry there? Do you see that?</p> <p>22 MR. GROSSMAN: Yes. I see the garage entry and so</p> <p>23 it looks like from the garage entry point to the Paul</p> <p>24 property is closer to about 60 feet.</p> <p>25 THE WITNESS: Close. 55.</p>
<p style="text-align: right;">Page 195</p> <p>1 loading dock was because that, I, I think I was</p> <p>2 misunderstanding where it was before because I thought that</p> <p>3 it was going to be closer to the Pauls' property.</p> <p>4 But if I understand what you said, Mr. Sloan, the</p> <p>5 actual loading dock area is going to be at least 60 feet to</p> <p>6 the east of that point at which the Paul property begins?</p> <p>7 Just looking at it at, at one inch equals 30 feet on your</p> <p>8 scale there.</p> <p>9 THE WITNESS: Right. So what we're, what we're</p> <p>10 trying to do basically, these are, these are box trucks that</p> <p>11 have limited duration time. They come down at quite a</p> <p>12 slope, as we noted, until we get to the service door at</p> <p>13 which point we're basically leveling out to a two percent</p> <p>14 grade. This will allow a truck to pull up in this area</p> <p>15 right next to the building, open their back door and truck</p> <p>16 things in to these doors.</p> <p>17 MR. GROSSMAN: Is it, is the door that, indicated</p> <p>18 by two little arrows there?</p> <p>19 THE WITNESS: Correct.</p> <p>20 MR. GROSSMAN: Is that, is that the door?</p> <p>21 THE WITNESS: Correct.</p> <p>22 MR. GROSSMAN: Okay. And --</p> <p>23 MS. GIRARD: Do you want to measure that for the</p> <p>24 Hearing Examiner?</p> <p>25 MR. GROSSMAN: So if I understand correctly.</p>	<p style="text-align: right;">Page 197</p> <p>1 MR. KAUFMAN: Keep it. He may need it again.</p> <p>2 BY MR. UHRE:</p> <p>3 Q. So if I can just to follow up. If a truck were</p> <p>4 pulling up into the loading area and that extended from the</p> <p>5 loading area of the truck actually could possibly interfere</p> <p>6 with the traffic going in and out of the garage, the indoor</p> <p>7 garage. Correct?</p> <p>8 A. If it parked in front of the garage, it would</p> <p>9 block the traffic.</p> <p>10 Q. Well, the parking, the parking zone goes up almost</p> <p>11 to the door of the garage, does it not?</p> <p>12 A. Well --</p> <p>13 Q. The loading zone.</p> <p>14 A. I don't want to speak out of turn, but I think</p> <p>15 that there's a, you know, most box truck, box trucks are 30</p> <p>16 plus feet. And that's about almost exactly what we</p> <p>17 accommodate from the walkway to these doors to the, to the</p> <p>18 garage entrance. And for a limited amount of time, someone</p> <p>19 would have to swing around if they were using this while</p> <p>20 there was a delivery.</p> <p>21 Q. Okay.</p> <p>22 MR. GROSSMAN: Okay. And I'm sorry, Mr. Uhre, I</p> <p>23 interrupted your presentation to clarify that point.</p> <p>24 MR. UHRE: No. Not at all. Anytime.</p> <p>25 BY MR. UHRE:</p>

<p style="text-align: right;">Page 198</p> <p>1 Q. Going to Exhibit 92, which is the new turnaround 2 plan that I think has been recalculated as it released the 3 corrections. 4 MR. KAUFMAN: I think that's an individual plan, 5 isn't it? 6 BY MR. UHRE: 7 Q. The first question, this says proposed. Is this, 8 is this actually being proposed as an amendment to the 9 current plans? 10 A. I wouldn't call it an amendment. An amendment is 11 a very technical term for such approvals. This is a 12 modification in concert with working with Staff and 13 testimony or, not testimony, but direction from the Planning 14 Board on, on really their wanting to look at this a little 15 more carefully. 16 Q. I'm sure. Could this, is this the plan you're 17 proposing? I just, I didn't understand. Is this now the 18 plan that Brandywine is proposing? 19 A. We are. 20 Q. Okay. Thank you. 21 A. Well, I am speaking for them. 22 Q. Well, part of the plan, but it, but this is what 23 you're proposing. Going to the -- 24 MR. GROSSMAN: And I'm sorry. Now that you raise 25 it, I'm, I'm sorry for interrupting again, Mr. Uhre.</p>	<p style="text-align: right;">Page 200</p> <p>1 haven't put it on the plan yet because we didn't know that 2 it was necessarily something that you would want to see. 3 MR. GROSSMAN: I understand. I'm just saying that 4 under the Zoning Ordinance when the plans are changed, it's 5 an amendment to the application. But in any event, I 6 certainly would want it to your, you know, your exhibit 7 showing it indicated as a change showing the additional 8 fence. I'm not saying it's a bad thing. It may be a very 9 good thing, but it should be indicated what we're changing. 10 All right. So what exactly are you writing on there? 11 THE WITNESS: Six foot additional fence. 12 MR. GROSSMAN: I'm going to duplicate that on the 13 one that I -- 14 THE WITNESS: On top of MBP. 15 MR. GROSSMAN: Okay. 16 THE WITNESS: Okay. 17 BY MR. UHRE: 18 Q. So as I understand what we're saying, we're 19 attaching a six foot fence on top of the MBP. Is that 20 correct? 21 A. Correct. 22 Q. And can you tell me the elevation of the MBP above 23 grade right below the fence? 24 A. It's 90, about 93 feet is the elevation. 25 Q. No. I'm sorry. The, the height of the MBP above</p>
<p style="text-align: right;">Page 199</p> <p>1 And exactly how does this new proposed turnaround 2 detail differ from what's on the conditional use plan, 79 A 3 I, Roman numeral I? 4 THE WITNESS: So I'm going to highlight on the 5 plan an area along the Micro bio planter that basically will 6 allow us to put a fence on top of the planter wall, which 7 itself is several feet off, above grade. 8 MR. GROSSMAN: Right. 9 THE WITNESS: So that we get an additional six 10 feet of privacy fencing to block any headlights or things 11 that are, you know, about three feet off the ground. 12 MR. GROSSMAN: And -- 13 THE WITNESS: So this, this is really the new 14 detail, the wall on top of the storm water, I mean the fence 15 on the stop of the storm water wall. 16 MR. GROSSMAN: Okay. But is there anything on the 17 plan portion of it that shows me this additional fence? 18 THE WITNESS: It's, it's only, no. In plain view 19 it looks more like a, just a piece of the wall. So we can 20 indicate that more clearly with a -- 21 MR. GROSSMAN: Yeah. I think it would have to if 22 you're actually changing the plan and whether you call it 23 your technical terms an amendment or not, it is an amendment 24 for purposes of the Zoning review. 25 THE WITNESS: We have, we haven't put a, we</p>	<p style="text-align: right;">Page 201</p> <p>1 grade. It looks like we have a, I'm on the Section AA. 2 A. Oh, got you. So -- 3 Q. The MBP is sticking up on a vertical. 4 A. It is and it, it varies. It, it goes from 92, 5 comes around to the back to about 88 at this mid-point. So 6 93 minus 88 is five feet. 7 MR. GROSSMAN: It looks here like it says 392. 8 You -- 9 THE WITNESS: Oh, sorry. Yes. I missed the 3. 10 MR. GROSSMAN: You were abbreviating it. Okay. 11 Yeah. 12 BY MR. UHRE: 13 Q. So you're saying that's five feet? 14 A. This is five feet at this point. 15 Q. So the MBP at five feet and the fence at six feet, 16 would be an 11 foot vertical? 17 A. Correct. 18 Q. And then could you tell me the distance between 19 where the MBP is vertical to the Pauls' property line? 20 A. It varies. 21 Q. I'm looking at Section AA, I guess. 22 A. Right. 23 Q. Right, one that's adjacent. 24 A. This is that. Okay. This is about, well, these 25 are, these are six foot spacing. So it's about five to six</p>

<p style="text-align: right;">Page 202</p> <p>1 feet.</p> <p>2 Q. And the, and the slope, the, the slope from the</p> <p>3 Pauls' property line to the vertical MBP is that, is, is</p> <p>4 that 3 to 1, you said?</p> <p>5 A. It is.</p> <p>6 MR. KAUFMAN: So it's almost exactly six feet.</p> <p>7 BY MR. UHRE:</p> <p>8 Q. And can you tell me what the elevation is at the</p> <p>9 Pauls' property line?</p> <p>10 A. 386.</p> <p>11 Q. At that location?</p> <p>12 A. At that location.</p> <p>13 MR. GROSSMAN: Just following the contour line</p> <p>14 across is, I take it, what you've done?</p> <p>15 THE WITNESS: Right. Yeah, the 386 --</p> <p>16 MR. GROSSMAN: Yeah. The 386 contour line.</p> <p>17 THE WITNESS: -- ties into the property line.</p> <p>18 Yes.</p> <p>19 MR. GROSSMAN: At, at that point. Yes. I see.</p> <p>20 BY MR. UHRE:</p> <p>21 Q. The, you spoke a little bit about the Master Plan.</p> <p>22 And as you know, the Master Plan strongly suggests that</p> <p>23 parking be on the sides, if at all possible. And here we</p> <p>24 have parking in the front of the building.</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 204</p> <p>1 earlier. So all of the landscape lighting is along the</p> <p>2 building side of the parking lot. There's none on the, on</p> <p>3 the property line with the golf course. It's along this</p> <p>4 area and this gives us enough illumination to be safe.</p> <p>5 Again, this is really looking at a very residential feel.</p> <p>6 And our photometrics will run at a maximum height of 12 feet</p> <p>7 for these fixtures.</p> <p>8 Q. I'm sorry. Are you saying the lighting is all on</p> <p>9 the building and not --</p> <p>10 A. On the building side of the parking lot.</p> <p>11 Q. Building side. Right. But how many poles</p> <p>12 actually are there with lighting?</p> <p>13 A. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 along this,</p> <p>14 along the sidewalk that fronts on the parking.</p> <p>15 Q. And there was some mention somewhere about a golf</p> <p>16 protection fence or some, can you explain what that is and</p> <p>17 where that would be located?</p> <p>18 A. There's an existing fence along the eastern</p> <p>19 property line. It's, basically it's telephone poles with a,</p> <p>20 a mesh fabric between them to catch errant golf balls.</p> <p>21 Q. Okay. And that would be located on this property?</p> <p>22 A. It is already located on this property.</p> <p>23 Q. So you're relocating it to a different position on</p> <p>24 this property?</p> <p>25 A. We're going to refurbish it as we can. I don't</p>
<p style="text-align: right;">Page 203</p> <p>1 Q. Can you tell us why that is?</p> <p>2 MR. GROSSMAN: Why they have it in the front --</p> <p>3 MR. UHRE: Why they have it in the front.</p> <p>4 MR. GROSSMAN: -- or why, why they require it or</p> <p>5 prefer it on the sides.</p> <p>6 BY MR. UHRE:</p> <p>7 Q. No, I'm asking why they didn't follow the, the</p> <p>8 suggestions of the Master Plan to put it on the sides of the</p> <p>9 building as opposed to proposing it in the front of the</p> <p>10 building.</p> <p>11 A. We thought it was more appropriate to have the</p> <p>12 parking facing the non-residential use rather than facing</p> <p>13 the residential use and it's also for a very practical</p> <p>14 reason. This is the front door, the front entry. And, and</p> <p>15 the flattest portion of the site.</p> <p>16 Q. And you may have already answered that question,</p> <p>17 but is there lighting in the parking area?</p> <p>18 A. There is.</p> <p>19 Q. And is that, is lighting on poles?</p> <p>20 A. Yes.</p> <p>21 Q. And about how high are the, the poles for the</p> <p>22 lighting in the parking area?</p> <p>23 A. So I'm looking at the landscape and lighting</p> <p>24 details. I don't know if I need to, actually I don't have</p> <p>25 to. I'll stick with the landscape plan that I referred to</p>	<p style="text-align: right;">Page 205</p> <p>1 know that, whether or not a, a pole may have to be moved or</p> <p>2 fixed or something.</p> <p>3 Q. And where exactly, can you show me where exactly,</p> <p>4 does that run around two sides of the property or --</p> <p>5 A. It runs from, well, it, it's only on one side of</p> <p>6 the property and it runs from about 50 feet from the, the</p> <p>7 apex in, into the golf course along the entire parking area</p> <p>8 and stops where we have a, a decorative wall that goes to</p> <p>9 the end.</p> <p>10 Q. And approximately how high is that fence?</p> <p>11 A. The golf fence?</p> <p>12 Q. Yes.</p> <p>13 A. I would estimate probably 30 feet. I don't know.</p> <p>14 Q. You mentioned earlier that there was a buffer</p> <p>15 between the Pauls' property and Manor Care and I didn't</p> <p>16 catch the distance. Did, did, was 60 feet what I heard you</p> <p>17 say? That there's basically a forest conservation easement</p> <p>18 at 60 feet existing between Manor Care and the Pauls'</p> <p>19 property?</p> <p>20 A. That's what I remember from the opinion. I think</p> <p>21 that's what actually got built.</p> <p>22 MR. KAUFMAN: This is the aerial view.</p> <p>23 THE WITNESS: Yes. Sixty feet.</p> <p>24 BY MR. UHRE:</p> <p>25 Q. And that consists of forest and trees and making</p>

<p style="text-align: right;">Page 206</p> <p>1 it, it an effective screen between Manor Care and the Pauls' property.</p> <p>2</p> <p>3 A. I haven't looked through that area too carefully.</p> <p>4 I don't remember if it was a lot of, maybe the white pines</p> <p>5 are on the other side. But I, I assume it acts as a forest.</p> <p>6 Q. You also spoke about the, the fact that this was</p> <p>7 not an increase going to the Master Plan for, not an</p> <p>8 increase in the number of special exceptions. But when you</p> <p>9 look at the size and intensity of this proposed facility,</p> <p>10 can you tell me what the coverage of the buildings are</p> <p>11 currently on the current site in square footage</p> <p>12 approximately?</p> <p>13 A. I would have to calculate it.</p> <p>14 MR. GROSSMAN: Now are you including in buildings</p> <p>15 the tennis bubble that's for currently.</p> <p>16 MR. UHRE: No, sir.</p> <p>17 MR. GROSSMAN: So it's, so just for buildings not</p> <p>18 any structure?</p> <p>19 MR. UHRE: Yeah, because the tennis bubbles --</p> <p>20 MR. GROSSMAN: That would be a structure, but not</p> <p>21 a building.</p> <p>22 MR. UHRE: -- the tennis bubbles are only there</p> <p>23 part of the year.</p> <p>24 MR. GROSSMAN: Right. They're considered</p> <p>25 structures not buildings, but --</p>	<p style="text-align: right;">Page 208</p> <p>1 Q. You also, I believe, made a comment about the</p> <p>2 height. We had a conversation about the height. I'm</p> <p>3 turning now to what is A 301 on the architect's, I'm sorry.</p> <p>4 Let me find my exhibit list.</p> <p>5 MR. GROSSMAN: While you're looking for that --</p> <p>6 MR. UHRE: 30, 39.</p> <p>7 MR. GROSSMAN: Let me, while you're looking for</p> <p>8 that, can I turn for a second to the, the relocated</p> <p>9 protective golf ball net that was mentioned?</p> <p>10 MR. UHRE: Right.</p> <p>11 MR. GROSSMAN: I just don't recall from the Zoning</p> <p>12 Ordinance whether or not there's any regulation on, on the</p> <p>13 height of something like a relocated protective golf ball</p> <p>14 net. Can you remind me of what is required there for that</p> <p>15 kind of structure? I mean there are limits on fence</p> <p>16 heights, but --</p> <p>17 THE WITNESS: There are limits on fence heights</p> <p>18 and it's a --</p> <p>19 MR. GROSSMAN: I'm not saying you don't need it</p> <p>20 because whenever I've played on that course, you needed a</p> <p>21 net. So --</p> <p>22 THE WITNESS: I, I can sympathize. I, I, it's,</p> <p>23 it's a curiosity because it came up in, in a couple places</p> <p>24 where we have them. Connecticut Avenue and here and there</p> <p>25 are a couple others. There is nothing in the Zoning</p>
<p style="text-align: right;">Page 207</p> <p>1 BY MR. UHRE:</p> <p>2 Q. But just in terms of the coverage definition.</p> <p>3 Would you say maybe five, six, 7,000 square feet will be</p> <p>4 generous?</p> <p>5 A. I don't know. I, I would scale it out.</p> <p>6 Q. But the coverage on the proposal is how many</p> <p>7 square feet?</p> <p>8 A. Looking on the development table again the</p> <p>9 coverage is 25 percent of the, of the lot area.</p> <p>10 Q. Which is?</p> <p>11 A. 43, 7, 36 square feet.</p> <p>12 Q. And the, and how many stories does the current</p> <p>13 structure have?</p> <p>14 A. I think there's a, there's a main floor and the</p> <p>15 studio above. Two and a half.</p> <p>16 Q. How do you get, how do you get two and a half out</p> <p>17 of that?</p> <p>18 A. Well, because it has a peaked roof with dormers</p> <p>19 and I don't know whether there's a bit of a habitable space</p> <p>20 up there.</p> <p>21 Q. Have you been in the structure?</p> <p>22 A. No.</p> <p>23 Q. And the, and the proposed structure is three</p> <p>24 stories. Correct?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 209</p> <p>1 Ordinance about them.</p> <p>2 MR. KAUFMAN: I believe they're actually 50 or 60</p> <p>3 feet tall. Something like that. They're not, they're as</p> <p>4 tall as a, as a telephone pole.</p> <p>5 MR. GROSSMAN: And do you know of anything in the,</p> <p>6 in the Zoning Ordinance that mentions --</p> <p>7 MR. KAUFMAN: I only know of two places where they</p> <p>8 are. One is Connecticut and the other is this.</p> <p>9 MR. GROSSMAN: Oh. Something you missed when you</p> <p>10 were drafting up the new ordinance. You got everything else</p> <p>11 in there, I could tell you that. All right.</p> <p>12 BY MR. UHRE:</p> <p>13 Q. But it is a fence, correct?</p> <p>14 MR. GROSSMAN: I don't know if it's, well --</p> <p>15 THE WITNESS: I wouldn't think, I wouldn't call it</p> <p>16 that now. It is, it is a, it is an oddity. It's not</p> <p>17 covered by the Zoning Ordinance. I don't know.</p> <p>18 BY MR. UHRE:</p> <p>19 Q. All right. Turning to Exhibit 17 H, I believe it</p> <p>20 is. Or maybe I could start with just the question is I</p> <p>21 understood your testimony, you said that the elevation to</p> <p>22 the top of the roof was only 36 feet on the area facing the</p> <p>23 Paul residence?</p> <p>24 A. So leading from the extended site section, the</p> <p>25 graded terrace level is 396. The top of the roof, the peak</p>

<p style="text-align: right;">Page 210</p> <p>1 there is, no, these are staggered, 444. I apologize. 48</p> <p>2 feet.</p> <p>3 Q. Oh, okay. Plus maybe a couple more, right, at the</p> <p>4 peak?</p> <p>5 A. No. That is inclusive of the peak.</p> <p>6 Q. Okay. I'm, I'm happy with 48.</p> <p>7 MR. CHEN: Yeah, me too.</p> <p>8 BY MR. UHRE:</p> <p>9 Q. The, the buffer along the golf course side, can</p> <p>10 you, is there, is there a buffer along the golf course side</p> <p>11 and in the front? Other than the four foot fence that goes</p> <p>12 part of the way.</p> <p>13 A. There, there's a fence and, and shrub buffer along</p> <p>14 with trees along the golf course side.</p> <p>15 Q. On both sides of the golf course?</p> <p>16 A. No. Along the parking area. Just between the</p> <p>17 parking and the golf course side. There's no, well, the</p> <p>18 buffer on the other side is landscape and the stream valley</p> <p>19 buffer.</p> <p>20 Q. But in the lower part, we, on the part closest to</p> <p>21 the front on the golf course side which would be, I guess,</p> <p>22 on the north side. Is there any buffer there below the</p> <p>23 stream valley buffer until the front property line?</p> <p>24 A. There are plantings, but there's no specific</p> <p>25 design or intent or need for a screening buffer here.</p>	<p style="text-align: right;">Page 212</p> <p>1 correct?</p> <p>2 A. I, only from what I heard from Ms. Bacon's</p> <p>3 testimony.</p> <p>4 Q. Do you know what the hours of operation are for</p> <p>5 the tennis facility?</p> <p>6 A. I do not.</p> <p>7 Q. You don't know if there's any conditions that</p> <p>8 limit the hours of the tennis facility?</p> <p>9 A. No. When we looked at compatibility, we looked at</p> <p>10 compatibility of the design we were creating.</p> <p>11 Q. Well, I think you spoke both about compatibility,</p> <p>12 I mean, in the sense of concentration of special exceptions</p> <p>13 not just in terms of the numbers, but in terms of scope and</p> <p>14 intensity. And you said it was compatible and yet where</p> <p>15 you're saying that you haven't viewed the hours of the</p> <p>16 Potomac Tennis Club and the hours that they're open. I mean</p> <p>17 doesn't that have an intensity?</p> <p>18 MS. GIRARD: Objection. This is the same person</p> <p>19 that said we shouldn't compare.</p> <p>20 MR. GROSSMAN: Well, hold, let him finish, let him</p> <p>21 finish the question before you --</p> <p>22 MS. GIRARD: Okay.</p> <p>23 MR. GROSSMAN: -- before you object.</p> <p>24 Go ahead. Finish your question.</p> <p>25 BY MR. UHRE:</p>
<p style="text-align: right;">Page 211</p> <p>1 Q. So you're saying there's no zoning requirement for</p> <p>2 any buffer in that area?</p> <p>3 A. No.</p> <p>4 Q. You spoke generally in terms of compatibility.</p> <p>5 You're saying that this area is compatible. But we have a</p> <p>6 very unique site that's surrounded on two sides by a golf</p> <p>7 course. We're putting a three-story structure. Can you</p> <p>8 explain to me how you find a three-story structure</p> <p>9 compatible with basically a golf course on two sides?</p> <p>10 A. Well, a residential use around a golf course is a</p> <p>11 pretty traditional development pattern. A lot of</p> <p>12 communities are built around golf courses and they have</p> <p>13 residences, apartments, towns, condos, any number of things.</p> <p>14 It's a, I don't think the compatibility is simply an issue</p> <p>15 because it's a different use. They're a compatible use in</p> <p>16 the different meaning of the word. They work well together.</p> <p>17 Q. I also understood you to say that this location</p> <p>18 stands about 20 feet higher than the Pauls' residence. Is</p> <p>19 that, on an elevation standpoint, is that the, was that a</p> <p>20 correct calculation?</p> <p>21 A. 378 to 396. That one I'm pretty sure of. Yes.</p> <p>22 Q. So it sets up higher than the Pauls' residence?</p> <p>23 A. 18 feet.</p> <p>24 Q. Making it much more visible. And the hours of</p> <p>25 operation of this location is going to be 24/7. Is that</p>	<p style="text-align: right;">Page 213</p> <p>1 Q. I'm sorry.</p> <p>2 MR. GROSSMAN: You can finish your question.</p> <p>3 BY MR. UHRE:</p> <p>4 Q. My question to him is that he said that it was</p> <p>5 compatible with the Master Plan, which speaks to both</p> <p>6 intensity and number and scope of differences in the special</p> <p>7 exceptions or conditional uses. And my question basically</p> <p>8 is how can you say that without knowing the hours of</p> <p>9 operation, for example, or the square footage differential?</p> <p>10 MR. GROSSMAN: Of the tennis operation.</p> <p>11 BY MR. UHRE:</p> <p>12 Q. Of the tennis club, existing club versus the</p> <p>13 building.</p> <p>14 MR. GROSSMAN: Now you may state your objection.</p> <p>15 MS. GIRARD: All right. I'm going to object</p> <p>16 again. Objection. I, I mean we're trying to have it both</p> <p>17 ways here. We're saying, at the beginning you cannot look</p> <p>18 at the existing tennis club to state that you're meeting the</p> <p>19 criteria and yet, now Mr. Uhre is saying you have to compare</p> <p>20 them in order to make your argument. You just can't have it</p> <p>21 both ways.</p> <p>22 MR. GROSSMAN: Yes. I, I happen to agree with</p> <p>23 you. You can't. As far as compatibility, compatibility is</p> <p>24 going to be evaluated not, I mean it's interesting that</p> <p>25 there is a, a big tennis bubble there at least on a portion</p>

<p style="text-align: right;">Page 214</p> <p>1 of the time, but it's not really what I, I have to look at. 2 I have to look at what is proposed for the use and say is 3 that proposed use compatible with the surrounding 4 neighborhood as it will exist once the proposed use is 5 constructed. That means there will be no tennis facility 6 there. On the other hand, when they, when LATR measures 7 traffic impacts, it does compare the current usage with what 8 will be the proposed usage and so, to that extent, there is 9 a comparison that is usually made. You can argue that 10 that's inappropriate and I'll consider that argument. But 11 in terms of compatibility, it's not really a, a tradeoff 12 between the tennis bubble and the current plan or the 13 applicant's proposed plan. But the examination is whether 14 or not the proposed use will be compatible with the 15 surrounding neighborhood and whether it meets all of the 16 conditions set forth in the Zoning Ordinance, compatibility 17 being among them. Okay. 18 MR. CHEN: Okay. Just for clarity of the record, 19 this came up, if you recall, in the preliminary matter and 20 -- 21 MR. GROSSMAN: I'm sorry? 22 MR. CHEN: This very point that you've raised just 23 now was addressed during the preliminary part of your 24 hearing today. 25 MR. GROSSMAN: Yes.</p>	<p style="text-align: right;">Page 216</p> <p>1 MR. UHRE: Thank you. 2 MR. GROSSMAN: Is there any redirect? 3 MS. GIRARD: There is. 4 REDIRECT EXAMINATION 5 BY MS. GIRARD: 6 Q. You got your scale still, Mr. Sloan? I'd like you 7 to, you kind of guessed at the distance of the buffer 8 between the drive aisle and the property line with the 9 Pauls. Can you measure that out to be clear? You, you had 10 estimated it to be 15 feet and I just want to be sure that 11 we're accurate on the record. 12 A. It, it's actually 20 feet for the majority of its 13 length. 14 Q. Okay. And similarly -- 15 MR. GROSSMAN: What's the, what's the minimum 16 amount? If it's, if it's 20 feet the max, what's it, what 17 does it go down to at some point? 18 THE WITNESS: We do some planting along the, the 19 buffer area, or I mean around the micro bio retention 20 whereas that point it goes down to about right across at 21 this point here. It's about eight feet and then it expands 22 all the way or it's in the stream buffer. 23 MR. GROSSMAN: Okay. 24 THE WITNESS: But that's not including the 25 plantings that are in there.</p>
<p style="text-align: right;">Page 215</p> <p>1 MR. CHEN: And including in particular the LATR 2 analysis. And just so that we're clear because I'm, I'm not 3 sure you're, in light of what you just said you heard my 4 position which is that the LATR analysis is not appropriate 5 because it relies upon this existing special exception. I, 6 I'm not arguing. I just want to make sure you understood 7 what I -- 8 MR. GROSSMAN: No. I, I did hear you to say that. 9 And I said, and I think I responded exactly as I responded 10 now. Compatibility would be assessed based on the, the 11 proposed use and the surrounding community, not on the 12 tennis court that exists there now. And LATR, I'm going to 13 hear arguments on that issue -- 14 MR. CHEN: Right. 15 MR. GROSSMAN: -- and, and we'll go on from there. 16 MR. UHRE: I appreciate what you said. I was 17 trying to establish the difference in scope and intensity 18 between, since they had brought it up as a comparison 19 purpose trying to say that, in fact, there may be 20 differences in scope and intensity of the uses, not just 21 counting one plus one. 22 MR. GROSSMAN: I understand. 23 MR. UHRE: Okay. Thank you. I'm, I'm, that's all 24 I have. 25 MR. GROSSMAN: All right.</p>	<p style="text-align: right;">Page 217</p> <p>1 BY MS. GIRARD: 2 Q. Also you had suggested by looking quickly at the 3 chart that the proposed density of 140 beds is the absolute 4 maximum that could be developed. Can you redo that 5 calculation to make sure that you're being accurate? 6 A. Yeah. That was one that, it's, it's an odd 7 calculation because it's a number of, of beds per acres so 8 the, the required is you can have one bed per 1,200 square 9 feet. And we have actually one bed per 1,250 square feet so 10 we are below the maximum pullout. 11 MR. CHEN: Why does that translate though into 12 units and beds? 13 MR. KAUFMAN: Well, he, wait a minute. 14 MR. CHEN: I'll, I'll get, I'll get that on, I'll 15 -- 16 MR. GROSSMAN: You can get it on redirect. 17 Recross, rather. 18 But I think the original question was, which was 19 asked was whether or not you were at the maximum. And I 20 guess what you would do is divide to determine the number of 21 beds you could put there in 4.02 acres. 22 MS. GIRARD: Yes. 23 THE WITNESS: 1,200 square feet per bed. 146. 24 145.7841 et cetera. 25 MR. KAUFMAN: I think 146 is probably a good</p>

<p style="text-align: right;">Page 218</p> <p>1 number.</p> <p>2 THE WITNESS: 146. Right.</p> <p>3 MR. GROSSMAN: Well, you can't, you'd have to</p> <p>4 round down.</p> <p>5 THE WITNESS: 145.</p> <p>6 MR. GROSSMAN: So you could have 145 beds and</p> <p>7 you're at 140 beds, if I understand correctly. So. Okay.</p> <p>8 BY MS. GIRARD:</p> <p>9 Q. The question that Mr. Chen asked you about the,</p> <p>10 the salt. If you, assuming for a moment that the proposed</p> <p>11 or the existing facility does use salts on that back parking</p> <p>12 area, where would that go?</p> <p>13 A. I think our engineer can speak very clearly about</p> <p>14 this, but it's basically, all of this current, I'm sorry, on</p> <p>15 the current, I mean aerial existing, all of this current</p> <p>16 pavement is depositing right into their property. All of</p> <p>17 the water runoff.</p> <p>18 Q. And to your knowledge, an engineer can speak to it</p> <p>19 more. Are there any storm water controls there now that</p> <p>20 would filter that?</p> <p>21 A. No.</p> <p>22 Q. And in assessing compatibility with the</p> <p>23 neighborhood you mentioned where you were aware of three-</p> <p>24 story buildings. Are, did you also look at the size of the</p> <p>25 houses in the adjacent neighborhoods?</p>	<p style="text-align: right;">Page 220</p> <p>1 stories. I read it like the Fire Marshall does. If there's</p> <p>2 a gable in it, it could be habitable and they'd break it,</p> <p>3 the window. Looks like a floor.</p> <p>4 MR. GROSSMAN: All right.</p> <p>5 BY MS. GIRARD:</p> <p>6 Q. And we talked a little about the truck exhibit and</p> <p>7 the new fence. Is it your testimony that we're providing</p> <p>8 that fence to try to further mitigate, we being Brandywine,</p> <p>9 are trying to further mitigate any visibility or adverse</p> <p>10 impacts?</p> <p>11 A. It is. It's, it's, it's to go above and beyond</p> <p>12 the requirements for screening and buffering and landscaping</p> <p>13 to provide even an additional layer of, of mitigation.</p> <p>14 Q. And finally, with regard --</p> <p>15 MR. GROSSMAN: Is that as a result of the Planning</p> <p>16 Board request?</p> <p>17 THE WITNESS: It was Planning Board and Staff. I</p> <p>18 think it was actually something that we came up on just when</p> <p>19 we were listening to, to some testimony.</p> <p>20 MR. GROSSMAN: Okay.</p> <p>21 BY MS. GIRARD:</p> <p>22 Q. Finally, with regard to the idea of the front yard</p> <p>23 and parking in the front yard, would you say that the front</p> <p>24 yard of this proposed use is typical?</p> <p>25 A. It's not typical. Our, our frontage is, is a</p>
<p style="text-align: right;">Page 219</p> <p>1 A. Yeah. One of the things that I think or the</p> <p>2 architect will speak to it too that we are really looking at</p> <p>3 is the length of facades on some existing houses. And many</p> <p>4 of those façade lengths are longer than any one of our</p> <p>5 façade lengths, including the, the next door neighbor.</p> <p>6 Their, their façade is longer --</p> <p>7 MR. GROSSMAN: The next, by next door neighbor, do</p> <p>8 you mean the Pauls?</p> <p>9 THE WITNESS: The Pauls' residence is longer --</p> <p>10 MR. GROSSMAN: What about, and how many stories is</p> <p>11 that?</p> <p>12 THE WITNESS: There it's two stories facing this,</p> <p>13 facing our property.</p> <p>14 MR. GROSSMAN: How many, is there a portion that's</p> <p>15 of, there's one story or three stories or is it --</p> <p>16 THE WITNESS: I did not go around to the other</p> <p>17 side to look.</p> <p>18 MR. GROSSMAN: Okay. That's fine. Well, they can</p> <p>19 answer that when they testify.</p> <p>20 BY MS. GIRARD:</p> <p>21 Q. And to your knowledge or, or the houses that are</p> <p>22 back there, do many of them have peaked roofs that make them</p> <p>23 appear --</p> <p>24 A. Most of them have peaked roofs and they're</p> <p>25 typically, therefore, that's why I call two and a half</p>	<p style="text-align: right;">Page 221</p> <p>1 little interesting because it only comes up a certain way,</p> <p>2 very severely limiting where we can access the property and,</p> <p>3 and the surrounding uses make it a little bit unusual about</p> <p>4 how you typically site a front yard of a, of a house.</p> <p>5 Q. So with regard to visibility of parking in the</p> <p>6 front yard, would you say that this was more visible or less</p> <p>7 visible than a typical front yard?</p> <p>8 A. It's --</p> <p>9 Q. From the street.</p> <p>10 A. It's much less visible. It's behind a berm, a</p> <p>11 wall, plantings and, and not abutting any constant use.</p> <p>12 MS. GIRARD: That's all I have.</p> <p>13 MR. GROSSMAN: All right. Any recross, Mr. Uhre?</p> <p>14 MR. UHRE: [No audible response.]</p> <p>15 MR. GROSSMAN: All right. Mr. Chen, any recross?</p> <p>16 MR. CHEN: Yeah. If I may.</p> <p>17 MR. GROSSMAN: You may as long as you stick to the</p> <p>18 redirect.</p> <p>19 RECROSS EXAMINATION</p> <p>20 BY MR. CHEN:</p> <p>21 Q. On that fencing, was there any testing done as to</p> <p>22 the effectiveness of that fencing to cut down on glare?</p> <p>23 A. Testing? No.</p> <p>24 Q. Yeah. A test. So that I take, I take it some</p> <p>25 decision was made by somebody that said okay, to deal with</p>

<p style="text-align: right;">Page 222</p> <p>1 glare we'll put up a six-foot fence. Is that how that came 2 about?</p> <p>3 A. A particular kind of fence. Yes.</p> <p>4 Q. Yeah. I mean just somebody said let's put up a 5 higher fence with the idea that it would cut down on glare.</p> <p>6 A. Right.</p> <p>7 Q. Okay. And as I understand it, the, going to the 8 question on salt, this service drive slopes down from the 9 front of the property toward the corner where my client's 10 property is adjacent. Is that correct?</p> <p>11 A. Correct.</p> <p>12 Q. And is there any comparable length of impervious 13 area with a slope like that that currently exists on the 14 property that would carry liquid salt to that area?</p> <p>15 A. Yes.</p> <p>16 Q. Say that again?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. What, what would that area be?</p> <p>19 A. The, I'm looking at the existing aerial. So the 20 drainage on this, we should bring up the drainage map 21 actually, splits some of the drainage in the front parking 22 lot goes to the east and is piped around and then the drive 23 aisle starting at some point along the southern property 24 line back all slopes down to the western corner.</p> <p>25 Q. And you're saying that that area is equally, had</p>	<p style="text-align: right;">Page 224</p> <p>1 Q. So that fence for that MBP is going to go right up 2 to within six inches of the property line?</p> <p>3 A. Right.</p> <p>4 Q. And, indeed, that area, not is the MBP in that 5 area, the, part of the service drive goes into that buffer 6 area as well. Isn't that correct?</p> <p>7 A. Correct. The triangle I'm pointing to now at the 8 very end of it.</p> <p>9 MR. CHEN: That's all I've got.</p> <p>10 MR. GROSSMAN: Okay. All right. I think that's 11 all.</p> <p>12 MR. KAUFMAN: I wonder if we could take a little 13 break.</p> <p>14 MR. GROSSMAN: I think that's fair. Thank you, 15 Mr. Sloan. And we'll take a break until a quarter to 4:00. 16 (Off the record.) 17 (Off the record discussion.) 18 (On the record.)</p> <p>19 MR. GROSSMAN: Okay. Resume with your next 20 witness.</p> <p>21 MS. GIRARD: I'm going to call Hal Bolton.</p> <p>22 MR. CHEN: Say that again. I'm sorry?</p> <p>23 MS. GIRARD: Hal Bolton.</p> <p>24 MR. CHEN: Thank you.</p> <p>25 MR. GROSSMAN: All right, sir. Will you state</p>
<p style="text-align: right;">Page 223</p> <p>1 the same amount of space as the proposed service drive?</p> <p>2 A. I don't know that it does.</p> <p>3 Q. Well, that was my question.</p> <p>4 A. I don't know if the split that we have in our 5 drainage is the same or not as the existing split in the 6 drainage.</p> <p>7 Q. And if I may, go to Exhibit, I think it's 79 A I.</p> <p>8 MR. GROSSMAN: That's the actual conditional use 9 plan.</p> <p>10 BY MR. CHEN:</p> <p>11 Q. Do you have that, sir?</p> <p>12 A. That's up now.</p> <p>13 Q. Okay. I just want to be clear on something. You 14 said that the closest that the, excuse me, the narrowest 15 area of the buffer is eight feet, as I understand your 16 testimony on redirect from Ms. Girard. Is that correct?</p> <p>17 A. Correct. There's a point where the micro bio 18 retention, the landscaping is eight feet at that point.</p> <p>19 Q. Okay. But help me for a minute. It looks to me 20 that this fence around the micro bio, the MBP is almost 21 right on the property line. Is that correct?</p> <p>22 A. It is close. Yes.</p> <p>23 Q. Okay. I mean would it be accurate to say that 24 that fence is inches off the property line?</p> <p>25 A. It's at least six inches. It's about six inches.</p>	<p style="text-align: right;">Page 225</p> <p>1 your full name, please?</p> <p>2 MR. BOLTON: My full name is Herbert Alfred 3 Bolton, IV. I go by Hal.</p> <p>4 MR. GROSSMAN: Okay.</p> <p>5 MR. BOLTON: Have for my whole life.</p> <p>6 MR. GROSSMAN: Would you raise your right hand, 7 please? Do you swear or affirm to tell the truth, the whole 8 truth and nothing but the truth under penalty of perjury?</p> <p>9 MR. BOLTON: I do.</p> <p>10 MR. GROSSMAN: All right. You may proceed.</p> <p>11 DIRECT EXAMINATION</p> <p>12 BY MS. GIRARD:</p> <p>13 Q. Mr. Bolton, have you previously qualified as an 14 expert in other jurisdictions?</p> <p>15 A. I have.</p> <p>16 Q. But have you in Montgomery County?</p> <p>17 A. I have not.</p> <p>18 Q. Okay. Can you state your name and, well, you did 19 your name, your business address?</p> <p>20 A. 300 North Lee Street in Alexandria, Virginia.</p> <p>21 Q. And what is your occupation?</p> <p>22 A. I'm an architect.</p> <p>23 Q. How long have you been engaged in this occupation?</p> <p>24 A. Approximately 18 years.</p> <p>25 Q. And can you review your professional and</p>

<p style="text-align: right;">Page 226</p> <p>1 educational background?</p> <p>2 A. Certainly. I have a Bachelor of Science in</p> <p>3 architecture from the University of Virginia, a Master's in</p> <p>4 architecture from the Georgia Institute of Technology. I'm</p> <p>5 a registered architect in Maryland, Virginia and the</p> <p>6 District of Columbia, and have worked in a variety of</p> <p>7 housing types throughout my career, including also</p> <p>8 institutional projects and, and commercial projects.</p> <p>9 Q. And are you a member of any professional</p> <p>10 architectural societies or organizations?</p> <p>11 A. I am. I'm a member of the American Institute of</p> <p>12 Architects, the Urban Land Institute, and I'm a LEED</p> <p>13 accredited professional with the U.S. Green Building</p> <p>14 Council.</p> <p>15 Q. Please review your work experience in the field of</p> <p>16 architecture.</p> <p>17 A. I have worked with Niles Bolton for the Niles</p> <p>18 Bolton Associates for the last few years, predominantly with</p> <p>19 multi-family housing. Prior to that I have worked with a, a</p> <p>20 firm in government and institutional work. And then I've</p> <p>21 also done small and single family homes as well.</p> <p>22 Q. And did you, maybe I lost track. Did you explain</p> <p>23 exactly where you have been qualified as an expert and what</p> <p>24 projects?</p> <p>25 A. I was qualified as an expert in Pennsylvania, in</p>	<p style="text-align: right;">Page 228</p> <p>1 in general.</p> <p>2 MR. CHEN: So the one in D.C. you weren't</p> <p>3 testifying as an expert specifically as to a, a project?</p> <p>4 THE WITNESS: I was testifying specifically to</p> <p>5 architecture and green architecture in that case.</p> <p>6 MR. CHEN: About, it was about green architecture</p> <p>7 you --</p> <p>8 THE WITNESS: Yes.</p> <p>9 MR. CHEN: What was the nature of your testimony</p> <p>10 in Pennsylvania?</p> <p>11 THE WITNESS: There, it was an approval for a</p> <p>12 multi-family house on a site near Conshohocken, going</p> <p>13 Conshohocken, Pennsylvania, outside of Philadelphia. And</p> <p>14 this was before the, the Planning Board in Conshohocken.</p> <p>15 MR. CHEN: And did it involve compliance with</p> <p>16 Zoning Ordinance requirements?</p> <p>17 THE WITNESS: Yes.</p> <p>18 MR. CHEN: Okay. I have no difficulty recognizing</p> <p>19 this gentleman as an architect with recognition of that</p> <p>20 background.</p> <p>21 MR. GROSSMAN: And, and where are you licensed,</p> <p>22 sir?</p> <p>23 THE WITNESS: In Maryland and Virginia and the</p> <p>24 District of Columbia.</p> <p>25 MR. GROSSMAN: Okay. Do you, I'm sorry, recall</p>
<p style="text-align: right;">Page 227</p> <p>1 Conshohocken on a, for a residential project, a multi-family</p> <p>2 project. And also in the District of Columbia.</p> <p>3 MR. GROSSMAN: You testified under oath in those</p> <p>4 cases?</p> <p>5 THE WITNESS: Yes. I did.</p> <p>6 MR. GROSSMAN: All right.</p> <p>7 MS. GIRARD: Mr. Bolton's resume is Exhibit 19.</p> <p>8 And we would move his admission as an expert in</p> <p>9 architecture.</p> <p>10 MR. GROSSMAN: All right. Any questions regarding</p> <p>11 Mr. Bolton's qualifications as an architect?</p> <p>12 MR. UHRE: Not for me. I'll take --</p> <p>13 MR. GROSSMAN: Mr. Chen?</p> <p>14 MR. CHEN: Were, as I understand it, sir, you were</p> <p>15 recognized as an expert in architecture in two instances?</p> <p>16 THE WITNESS: I have testified previously as an</p> <p>17 expert in two instances.</p> <p>18 MR. CHEN: Two, yes. Once, one was in</p> <p>19 Pennsylvania and one was in the District of Columbia?</p> <p>20 THE WITNESS: That's correct.</p> <p>21 MR. CHEN: And am I correct in assuming that they</p> <p>22 were for multi-family dwellings?</p> <p>23 THE WITNESS: The project in Pennsylvania was. In</p> <p>24 the District of Columbia, it was for Green Building</p> <p>25 Standards and the Green Building Ordinance, and architecture</p>	<p style="text-align: right;">Page 229</p> <p>1 your Maryland license number?</p> <p>2 THE WITNESS: I don't.</p> <p>3 MR. GROSSMAN: Okay.</p> <p>4 THE WITNESS: It may be on my resume or I could</p> <p>5 provide that later on.</p> <p>6 MR. GROSSMAN: All right. I, I find Mr. Bolton</p> <p>7 qualified as an expert in architecture based on his</p> <p>8 education and background and experience and his prior</p> <p>9 testimony as an expert in architecture. I used to tease</p> <p>10 architects by asking them what they thought about the</p> <p>11 Clinton Library, but it's been so long since the Clinton</p> <p>12 Library that it's showing my age and it's not really</p> <p>13 accomplishing much. But. So, I won't do that in this case.</p> <p>14 All right. You may, you may question the witness.</p> <p>15 MS. GIRARD: Thank you.</p> <p>16 BY MS. GIRARD:</p> <p>17 Q. Mr. Bolton, are you familiar with the conditional</p> <p>18 use property, surrounding area and Application No. Cu 16-01?</p> <p>19 A. I am. My firm has prepared the plans and</p> <p>20 elevations for this --</p> <p>21 Q. Great. Can you review your design concept for the</p> <p>22 building proposed in this application?</p> <p>23 A. Certainly. We, wait a minute. Let me actually,</p> <p>24 so our building is organized around a central spine with the</p> <p>25 front door --</p>

<p style="text-align: right;">Page 230</p> <p>1 MR. CHEN: Could we have the exhibit number that's 2 being used? 3 MS. GIRARD: Yes. 4 MR. KAUFMAN: Right where the mark is. 5 MS. GIRARD: A 101. That's 79 G 1 or I. Probably 6 I. 7 MR. CHEN: G I? 8 MR. GROSSMAN: Yeah. Roman numeral I, an I. 9 MS. GIRARD: Here you go. There. 10 MR. KAUFMAN: Put it, put it on there. We're 11 going to just write it up there so. 12 MR. GROSSMAN: That's fine. I mean we have it in 13 the file. 14 MR. KAUFMAN: I know, but -- 15 MR. CHEN: What's the problem? 16 MR. UHRE: He's going to write it on the plan. 17 That's all. 18 THE WITNESS: So our, to orient our front door is 19 at the bottom of the page, north being to page right. 20 MR. GROSSMAN: Why would you do that? 21 THE WITNESS: And then the central entry, foyer 22 and the public spaces are in the middle of the building here 23 along a central spine. There are residential wings to the 24 left and to the right and then at the back of the building, 25 again this was designed working with the contours of the</p>	<p style="text-align: right;">Page 232</p> <p>1 THE WITNESS: The palette of materials is the same 2 throughout the building. 3 MR. GROSSMAN: How about the gables and the other, 4 other features? 5 THE WITNESS: The gables are, yes, we have similar 6 gables throughout. 7 MR. GROSSMAN: Okay. 8 BY MS. GIRARD: 9 Q. And can, can you briefly walk us through the floor 10 plans? 11 A. Certainly. So our, again, our entry, our porte- 12 cochere where the majority of the residents would drive up, 13 arrive, come through the front door into an entry lobby. 14 This entry lobby is a two-story space. To the left we have 15 a music room and a parlor. Again, all of this was designed 16 with the idea of providing a home, being residential and 17 neighbor, and character. That's sort of the interior elbow 18 where this wing takes off. We have the central dining 19 space, a kitchen just beyond that which allows then for the 20 residents to have a view outside while they're eating and, 21 and relaxing. Residential spaces to the rear of the 22 building with an interior courtyard for the residents that 23 are in the Memory Care units. 24 The second, the floor above this is similar with public 25 amenity space at the center of the building. There is space</p>
<p style="text-align: right;">Page 231</p> <p>1 site with our topography with the site boundaries. It's 2 designed in an English Tudor style which is as similar to 3 many of the residences in the Potomac neighborhood. We've 4 used many residential features, such as the chimney pods, 5 the rooftop cupola, Tudor detailing, residential windows. 6 We have copper trim along the roof edge. Architectural 7 shingles. And we have chosen to break up the façade of the 8 building utilizing bays, in this case to the left and right 9 of the front door. These wings then step back and angle 10 back from the building, breaking up the mass of the 11 building. We have these smaller octagonal rooms to the left 12 and the right, which again break up the mass, differentiate 13 the rooftop at this level from the main roof over the entry. 14 And so we've made a conscious attempt throughout the 15 building to vary both the horizontal and vertical shape of 16 the facility. 17 MR. GROSSMAN: Do you have renderings for the 18 other sides of the building? 19 THE WITNESS: We have submitted elevations. We 20 have not submitted a rendering similar to this one. 21 MR. GROSSMAN: And I just, I can't recall. Does 22 it, is it, is this treatment consistent throughout the, on 23 all sides of the buildings -- 24 THE WITNESS: It is. It is. The -- 25 MR. GROSSMAN: -- with the gables, et cetera?</p>	<p style="text-align: right;">Page 233</p> <p>1 for a room where a lot of the activities for the residents 2 would occur there at the center looking out on to the 3 courtyard. You'd have residential units to the left and to 4 the right in these wings. And then residential units here 5 at the rear of the building. This is the top floor on the 6 rear portion of the building. Then this front portion 7 extends up another floor, which is this floor at this level 8 with additional residential units at the top. And then we 9 have a terrace level below with the interior parking and 10 some services and a few amenity spaces that we discussed 11 previously. 12 Q. Is that in here? 13 A. I don't know that I have that one actually. 14 Q. Oh, we don't have that. Okay. 15 A. You should have it. 16 Q. And how is the proportion of community space to 17 units determined? What's, what's the rough proportionality 18 there? 19 A. We were guided by our clients in meeting their 20 programmatic needs. It's, it's very high actually. It's 21 closer to 50 percent for the amenities space versus the 22 residential units, which, again, thinking in residential 23 terms provides a lot of living and amenity space for the, 24 the residents of the community. 25 Q. And can you cover the mechanical equipment</p>

<p style="text-align: right;">Page 234</p> <p>1 locations that were discussed earlier?</p> <p>2 A. Sure. If we can put, as was mentioned in previous</p> <p>3 testimony we have a pad.</p> <p>4 MR. CHEN: Exhibit, which, which, I apologize.</p> <p>5 But what exhibit are we using now?</p> <p>6 MS. GIRARD: Conditional use. It's the one we've</p> <p>7 been using. It's --</p> <p>8 MR. GROSSMAN: 79 A I.</p> <p>9 MR. KAUFMAN: 79 something.</p> <p>10 MS. GIRARD: Yeah. That's --</p> <p>11 MR. KAUFMAN: That's why I said let's write it on</p> <p>12 there.</p> <p>13 THE WITNESS: So we have a generator enclosure and</p> <p>14 we discussed the, the high wall around this. We have</p> <p>15 interior on the Terrace Level mechanical space at</p> <p>16 approximately this location. Then we also have space for a</p> <p>17 few smaller rooftop mechanical units above the second level.</p> <p>18 BY MS. GIRARD:</p> <p>19 Q. So the generator is what's behind the wall in the</p> <p>20 back?</p> <p>21 A. Yes.</p> <p>22 Q. Is the chiller there?</p> <p>23 A. We haven't fully designed the system. It's</p> <p>24 possible that the chiller could be located interior to the</p> <p>25 building and also could be a rooftop chiller. There are a</p>	<p style="text-align: right;">Page 236</p> <p>1 which is measured to the mid-point of the roof down to 47</p> <p>2 feet.</p> <p>3 Q. Okay. And do you have, did Staff ask you to</p> <p>4 prepare a Prospective of what the building and the height of</p> <p>5 the building would look like from Falls Road?</p> <p>6 A. They did. And I have, I don't have a full size</p> <p>7 drawing of that, but I do have --</p> <p>8 Q. And to your knowledge is that included as an</p> <p>9 attachment to the Staff Report?</p> <p>10 A. Yes. To my knowledge, it is.</p> <p>11 Q. Or rather, it was in the Staff's presentation.</p> <p>12 MR. KAUFMAN: I have an extra of that if you want</p> <p>13 it.</p> <p>14 MS. GIRARD: No. I think he's got some copies.</p> <p>15 This is on page 16 of the Staff's presentation. It's just a</p> <p>16 big picture of the same thing.</p> <p>17 MR. CHEN: Should we give it --</p> <p>18 MR. GROSSMAN: We actually, it's already in as</p> <p>19 part of the Staff, it's not the Staff Report, but I think it</p> <p>20 was a part of the presentation to the Planning Board which I</p> <p>21 had the Staff file with us. It's a, it's been in the record</p> <p>22 here as --</p> <p>23 MR. CHEN: Are you going to give it an exhibit</p> <p>24 number?</p> <p>25 MR. GROSSMAN: It, it has an exhibit number</p>
<p style="text-align: right;">Page 235</p> <p>1 variety of options for this mechanical system and we are</p> <p>2 frankly still in the early stages of design. We have</p> <p>3 provided options and, and I would think certainly could</p> <p>4 locate it either interior or on the rooftop of the second --</p> <p>5 MR. GROSSMAN: What exactly does a chiller do?</p> <p>6 THE WITNESS: A chiller is part of a mechanical</p> <p>7 system that draws, uses cold water to draw heat from the air</p> <p>8 and thereby chill the air so it absorbs the, the latent heat</p> <p>9 from the air. It sends the water through a pipe --</p> <p>10 MR. GROSSMAN: It's part of your air conditioning</p> <p>11 system.</p> <p>12 THE WITNESS: Exactly.</p> <p>13 MR. GROSSMAN: It chills the air for the air</p> <p>14 conditioning system.</p> <p>15 THE WITNESS: Right.</p> <p>16 MR. GROSSMAN: Okay.</p> <p>17 BY MS. GIRARD:</p> <p>18 Q. With regard to the height of the front elevation,</p> <p>19 did you have conversations with Staff about that elevation</p> <p>20 and the height?</p> <p>21 A. We did. And at, at Staff's request, we looked</p> <p>22 again at the slope of this main portion of the roof and</p> <p>23 determined that it would be possible to reduce it slightly.</p> <p>24 We were previously, I believe, at a 9 and 12 pitch. We</p> <p>25 reduced it to a 7 and 12 pitch, which brought the height</p>	<p style="text-align: right;">Page 237</p> <p>1 already.</p> <p>2 MR. CHEN: Oh, I'm sorry.</p> <p>3 MR. GROSSMAN: It's --</p> <p>4 MR. CHEN: It's a sub-exhibit of the Staff Report?</p> <p>5 MR. GROSSMAN: Not of the Staff Report. What</p> <p>6 happened is --</p> <p>7 MS. GIRARD: Of the Staff's presentation.</p> <p>8 MR. GROSSMAN: -- I, I sent an email to the staff</p> <p>9 asking them to make sure that we got a copy of whatever they</p> <p>10 presented to the Planning Board so --</p> <p>11 MS. GIRARD: 74 A.</p> <p>12 MR. GROSSMAN: Okay. So --</p> <p>13 MR. CHEN: And, and is this document 74 A?</p> <p>14 MS. GIRARD: This is page 16 of 74 A.</p> <p>15 MR. CHEN: Thank you.</p> <p>16 BY MS. GIRARD:</p> <p>17 Q. Do you want to describe for us what we're looking</p> <p>18 at in that picture?</p> <p>19 A. Certainly. This is a view taken from Falls Road,</p> <p>20 a photograph looking across the parking lot adjacent to the</p> <p>21 golf club house back towards our site, across, across the</p> <p>22 golf course. These are the existing trees as they are now</p> <p>23 and, and our building height with the, the mid-point of the</p> <p>24 roof again at 47 feet, which is largely screened almost</p> <p>25 entirely from, from the road at this point.</p>

<p style="text-align: right;">Page 238</p> <p>1 MR. GROSSMAN: Well, in other words, your building 2 was, was rendered into there. 3 THE WITNESS: It was dropped in behind the 4 existing trees. 5 MR. GROSSMAN: Right. 6 THE WITNESS: Yes. 7 BY MS. GIRARD: 8 Q. And did you coordinate the landscaping shown on 9 that plan with VIKa to insure that it's accurate? 10 A. I did. 11 Q. You've been sitting here all day. You've heard 12 questions about the compatibility of the proposed structure. 13 I think you addressed the massing, but in terms of height 14 with the adjacent neighborhood, can you address why you feel 15 that this design is compatible? 16 A. Certainly. This is a, obviously a three-story 17 building at this front portion. Many of the homes in the 18 neighborhood are two or as was previously discussed, two and 19 a half stories with steeply pitched roofs that reach up 20 similar in height to where this building is. So I, I feel 21 like our building is not significantly taller than, than 22 many of the surrounding homes. 23 MR. GROSSMAN: What about the, the building that's 24 close, the portion of your building that's closest to the 25 Paul residence which has been described by Mr. Sloan as</p>	<p style="text-align: right;">Page 240</p> <p>1 interest in that if the conditional use is granted. Whether 2 some reduction in the height of that building would be -- 3 MR. CHEN: It's not my case. It's their case. 4 My, my concern is we're obviously going to have a second 5 day. 6 MR. GROSSMAN: Yes. But I wasn't asking for you 7 to say now. I'm just saying that at some point, when you 8 present your case, you should consider whether or not that's 9 desirable -- 10 MR. CHEN: Oh, of course. Yes, of course. 11 MR. GROSSMAN: -- from your standpoint. That's my 12 point. 13 MR. CHEN: We're, we're, I agree with that 100 14 percent. 15 MR. GROSSMAN: Okay. 16 MR. CHEN: My concern is I've got, it's Exhibit 79 17 I. 18 MR. GROSSMAN: Yes. 19 MR. CHEN: And as I represented earlier today, I'm 20 looking into this exhibit. 21 MR. GROSSMAN: Right. 22 MR. CHEN: And I don't want to have to get a, a 23 new section before the next hearing -- 24 MR. GROSSMAN: No. This is just, this is 25 something that I'm, I'm inquiring in because it might be of</p>
<p style="text-align: right;">Page 239</p> <p>1 being 48 feet tall or above ground level. 2 THE WITNESS: I believe that was to the top point 3 of the roof. I'm sorry. 4 MR. GROSSMAN: Yeah. At the top point of the 5 roof. Is there any similar adjustment that can be made to 6 that building to have less, to reduce the height of the 7 profile? 8 THE WITNESS: We could take a look at that 9 certainly. The, that portion of the roof, as was discussed, 10 is what we call a false mansard roof which is designed to 11 provide screening to give residential character to the roof 12 and, and continue the same roof line. It, it may be 13 possible through further study to, to lower that slightly. 14 MR. GROSSMAN: I mean I don't know how effective 15 that would be, but maybe if you got three or four feet down 16 from there it would be helpful. 17 THE WITNESS: Some of, perhaps. It also, you have 18 to keep in mind with the elevations, the, all elevations as 19 they are shown you're, you're looking at, at a little bit of 20 a forced perspective and as this roof obviously tapers away 21 from you, you tend to see less and less of it. So at some 22 point, when you start to drop that slope, it becomes very 23 difficult to, to notice, but we'd be happy to study further. 24 MR. GROSSMAN: I mean it is something that I would 25 be interested in hearing from Mr. Chen about if there's an</p>	<p style="text-align: right;">Page 241</p> <p>1 benefit in terms of compatibility and it's something for you 2 to consider. It may or may not be desirable from your 3 standpoint so it's something for you to consider. And you 4 shall certainly have the opportunity to digest and dissect 5 the, the plan as you will until our next hearing. By the 6 way, at about 4:45 today, we'll stop and look at our 7 calendars and figure out what the best next day is for, to 8 complete this hearing. All right. 9 BY MS. GIRARD: 10 Q. Mr. Bolton, you're familiar with the cross-section 11 that we've been referencing? 12 A. I am. 13 Q. And did you prepare this exhibit? 14 A. I did. 15 Q. Can you walk us through how you determined and, 16 and what you believe the accuracy to be of the distance 17 between the proposed structure and the Pauls' property? Do 18 you need this? 19 A. So, sure. 20 MR. KAUFMAN: This is 79 I, I believe. 21 MS. GIRARD: Yes. 22 THE WITNESS: So the key plan on the lower right- 23 hand corner shows where this section was taken cutting 24 essentially through the center of our building and bisecting 25 the Pauls' house at the location shown. This information</p>

<p style="text-align: right;">Page 242</p> <p>1 was taken from a file that was provided, a topographic file 2 that was provided to us by our civil engineer, which I 3 believe is from a GIS survey which was then used as the base 4 for, for our BIM model. So this section shows -- 5 MR. GROSSMAN: I'm sorry. For your what model? 6 THE WITNESS: I'm sorry. Our building information 7 model. 8 MR. GROSSMAN: Okay. 9 THE WITNESS: That's how this section was created 10 through the model. It shows the 287 feet from the rear 11 façade of our building to the location of the Pauls' 12 residence. And we are at this location 132 feet from the 13 property line to the rear façade of our building. 14 BY MS. GIRARD: 15 Q. And the total distance between the structures. 16 Did you say that? 17 A. I'm sorry. It's, total distance is 287 feet and 18 if you break that down, it's 132 feet from, from our 19 building to the property line of the Paul's and then another 20 155 feet from the Pauls' property line to their house. 21 Q. And I noticed on that exhibit you have a sight 22 line. What's the intention of that? 23 A. Yes. So the sight line is, is, you can see at the 24 lower left-hand corner in front of the, the house is based 25 on a, on a human scale figure showing the range of vision if</p>	<p style="text-align: right;">Page 244</p> <p>1 some existing trees that are at the location now. 2 MR. GROSSMAN: And what about on the Pauls' side 3 of the property? 4 THE WITNESS: It's representative of the trees. 5 We obviously could not stand in their backyard and, and 6 measure all the trees, but it's representative of, of that. 7 BY MS. GIRARD: 8 Q. Was that based on aerial -- 9 A. From aerial photographs. 10 Q. Mr. Sloan reviewed for us the site lighting. Can 11 you review for us the building lighting? 12 A. We have an elevation. These are two of the 13 elevations that were part of the submitted exhibits. 14 MR. GROSSMAN: What are those exhibit numbers, Ms. 15 Girard? 16 MS. GIRARD: Yes. The one on the right, A 303, is 17 79 G, Roman numeral III. And the one on the left is, oh, 18 I'm sorry. These are elevations. I got that wrong. You're 19 looking at 79 F. On the right is 6 and on the left is 4. 20 MR. CHEN: 79 F 6 and F 4? 21 MS. GIRARD: F 4 and 6. 4 is on your left. 6 is 22 on your right. 23 MR. CHEN: Okay. But it's, it's all 79 F? 24 MS. GIRARD: Yes. 25 MR. CHEN: So there's --</p>
<p style="text-align: right;">Page 243</p> <p>1 someone was hypothetically standing in the backyard looking 2 toward the proposed building and what, I think the sight 3 line illustrates effectively a number of things. With the 4 existing and proposed screening that is provided on our 5 site, the, the building will be largely protected from view, 6 screened from view at the residence. And you can also see 7 the top of this roof that we were just discussing on the 8 rear façade effectively screening any of the rest of our 9 building so the narrowest and smallest portion of our 10 building at this location facing the Pauls' residence would 11 be the, the portion of this that you could largely see, but 12 again will be predominantly screened by vegetation. 13 MR. GROSSMAN: The screening that you show on this 14 Exhibit 79 I. Is that screening what exists today on the 15 left side on the Pauls' residence and on the, on the other 16 side of the property line what is proposed or is it proposed 17 in terms of full growth, proposed at the time of planting. 18 What exactly does that represent on this thing? 19 THE WITNESS: The smaller trees I believe are 20 proposed at, at time of planting. 21 MR. CHEN: Could you raise your voice, sir? We 22 can't hear you. 23 THE WITNESS: I'm sorry. The smaller trees that 24 are shown on, on the proposed property would be at the time 25 of planting. The larger trees I believe were taken from</p>	<p style="text-align: right;">Page 245</p> <p>1 MS. GIRARD: Correct. 2 THE WITNESS: The lights shown on our front 3 elevation are, are residential and scale here adjacent to 4 the front door under the Porte-cochere. We do have separate 5 Emergency lighting located at the second level. Again, not 6 to be used on a regular basis, but shown here we have very 7 little lighting. You can see on this elevation wherever we 8 have an entry door or an egress, there's residential scale 9 lighting adjacent to that wall mounted on the building. 10 This will be again designed to LEED silver standards. Will 11 likely be LED lighting and screened. 12 MR. GROSSMAN: So you're saying that on the sides 13 of the building, you will have residential lighting on the 14 sides? 15 THE WITNESS: Residential scale lighting. 16 MR. GROSSMAN: Scale lighting. 17 THE WITNESS: Right. 18 MR. GROSSMAN: And -- 19 THE WITNESS: That was, I'm sorry, included in the 20 photometric plan. 21 MR. GROSSMAN: They are included in the 22 photometric? 23 THE WITNESS: They -- 24 MR. GROSSMAN: Okay. And I take it they'll be 25 aimed down in some way?</p>

<p style="text-align: right;">Page 246</p> <p>1 THE WITNESS: That, that's correct.</p> <p>2 MR. GROSSMAN: Okay. And --</p> <p>3 BY MS. GIRARD:</p> <p>4 Q. So, in your opinion, they won't cause any</p> <p>5 objectionable glare?</p> <p>6 A. No. They are designed predominantly to illuminate</p> <p>7 entry doors, entries and exits and not provide any</p> <p>8 noticeable glare or projection into the site. We have site</p> <p>9 lighting that, that will, as was previously discussed,</p> <p>10 provide illumination for the spaces that we need on the</p> <p>11 site. The lighting on our building is predominantly to</p> <p>12 identify and help with entry into the building.</p> <p>13 Q. And speaking of entrances, the entrance to the</p> <p>14 garage. How tall is that entrance?</p> <p>15 A. That entrance, I believe we're showing our garage</p> <p>16 door, I'd have to double check, it's either nine or 10 feet</p> <p>17 tall. It's actually lower than, than what would typically</p> <p>18 be used for a bus and in previous testimony, we had</p> <p>19 discussed the possibility of the 16-passenger van pulling</p> <p>20 into the garage. I think our, our design intent and part of</p> <p>21 the planning was to utilize this Porte-cochere at the front</p> <p>22 door for the drop-off from the 16-passenger bus. It's also</p> <p>23 an easy turnaround because we have the, the turn loop at the</p> <p>24 front of the building. This porte-cochere is, is sized for</p> <p>25 that 16-passenger van. The, the garage door is not. So I</p>	<p style="text-align: right;">Page 248</p> <p>1 up the horizontal plane of the building, stepping the roof</p> <p>2 in locations where we can so that we don't have a single,</p> <p>3 large monolithic roof, but rather, break up the scale and</p> <p>4 provide some visual interest and more residential scale to</p> <p>5 this roof line.</p> <p>6 Q. So, Mr. Bolton, from an architectural standpoint,</p> <p>7 do you believe the proposed conditional use is</p> <p>8 architecturally compatible with and in harmony with the</p> <p>9 character of the surrounding neighborhood considering</p> <p>10 design, scale and bulk?</p> <p>11 A. I do. We, again, have, have looked at the</p> <p>12 surrounding neighborhood for inspiration in the design and</p> <p>13 the style of the building. And, and I think, as we have</p> <p>14 discussed, worked to break the building in, the break the</p> <p>15 massing of the building into more residential scale massing</p> <p>16 so that it doesn't read as a single, large monolithic piece.</p> <p>17 Q. And from an architectural standpoint, do you</p> <p>18 believe the proposed conditional use would cause any undue</p> <p>19 harm to the use, peaceful enjoyment or development potential</p> <p>20 of abutting or confronting properties in the general</p> <p>21 neighborhood?</p> <p>22 A. I don't. Both from the use and the architecture,</p> <p>23 I think it would actually serve the, the surrounding</p> <p>24 neighborhood well. I think the building is designed to be</p> <p>25 durable with nice materials, nice finishes, which in our</p>
<p style="text-align: right;">Page 247</p> <p>1 think in all likelihood the bus would remain parked in the</p> <p>2 front when not in use.</p> <p>3 MR. GROSSMAN: Is that the garage door that I'm</p> <p>4 looking at there on Exhibit 79 F, F 6?</p> <p>5 THE WITNESS: That is not. No. It's on a</p> <p>6 different elevation.</p> <p>7 MR. GROSSMAN: Okay.</p> <p>8 BY MS. GIRARD:</p> <p>9 Q. And so you are looking at 79 F 5, on the right-</p> <p>10 hand side.</p> <p>11 A. So we can see here the location of the garage</p> <p>12 door. Again, it's at lower height.</p> <p>13 MR. GROSSMAN: Okay.</p> <p>14 THE WITNESS: With the residential scale lighting</p> <p>15 to either side of that. And then also the entry for the</p> <p>16 Terrace Level receiving that was discussed previously that</p> <p>17 is in this elevation towards the front of the property from</p> <p>18 the garage door.</p> <p>19 BY MS. GIRARD:</p> <p>20 Q. And do these elevations represent the breaking of</p> <p>21 the massing that you were talking about? We discussed --</p> <p>22 A. They do. And then we again have, have worked hard</p> <p>23 to try to create bays. You can see. And as was asked</p> <p>24 earlier if some of the detailing was similar throughout the</p> <p>25 project, keeping materials the same, but using bays to break</p>	<p style="text-align: right;">Page 249</p> <p>1 profession is, is symbolic of, of buildings that are</p> <p>2 thoughtful and well cared for. And so I think this would be</p> <p>3 a high quality building with, as was described earlier, a</p> <p>4 very well-run program for the residents of the community</p> <p>5 inside.</p> <p>6 MR. GROSSMAN: What is the composition of the</p> <p>7 external walls? Are they brick? Are they, what are they?</p> <p>8 THE WITNESS: We are proposing, at the lower</p> <p>9 levels and here on some of the bays, we are proposing a</p> <p>10 stone. We have various finishes of the stone. Some</p> <p>11 portions of it are smooth. Some portions are rusticated.</p> <p>12 And then we're proposing fiber cement for, and, and a couple</p> <p>13 different types of fiber cement panels. Again, very durable</p> <p>14 material.</p> <p>15 MR. GROSSMAN: Okay.</p> <p>16 THE WITNESS: It's --</p> <p>17 MR. GROSSMAN: So it's another stone and fiber</p> <p>18 cement ultimately --</p> <p>19 THE WITNESS: Predominantly. Right. With several</p> <p>20 different finishes for both the stone and both the fiber</p> <p>21 cement.</p> <p>22 MR. GROSSMAN: Okay.</p> <p>23 BY MS. GIRARD:</p> <p>24 Q. Actually I'm going to break from my burden of</p> <p>25 proof conclusions and ask before I ask the next one, the</p>

<p style="text-align: right;">Page 250</p> <p>1 question was raised about the trash enclosure. Can you 2 review that for us? 3 A. Certainly. 4 Q. What the specifics of that are? 5 A. I can rely on earlier today. 6 Q. This is 79 A I you're looking at. 7 A. So again, the trash enclosure is shown at this 8 location with, as was mentioned, a masonry wall around that. 9 I believe in the earlier testimony -- 10 MR. GROSSMAN: This location being the extreme 11 western -- 12 THE WITNESS: Extreme western portion of the site. 13 MR. GROSSMAN: -- portion. Okay. 14 THE WITNESS: That's correct. 15 BY MS. GIRARD: 16 Q. And what's the size of that enclosure? 17 A. That is, I believe, an eight-foot masonry wall 18 which would screen the entire trash enclosure. 19 Q. And so, for an architectural standpoint, do you 20 believe the proposed conditional use would cause any 21 objectionable noise, odors, dust, illumination or glare at 22 the subject site? 23 A. I do not. I think we have taken pains to screen 24 items where, where needed. And again, provide required 25 lighting levels at the perimeter of the site. I, I think it</p>	<p style="text-align: right;">Page 252</p> <p>1 most dumpsters I've seen, that's rarely the case. 2 Q. Yeah. 3 A. And so I think it, they do take special 4 precautions for that. 5 Q. Do you know what they are? 6 A. You would have to ask a representative of 7 Brandywine. 8 Q. Okay. So, but you don't know of anything? 9 A. No. But my understanding is that that has not 10 been an issue on any of their other -- 11 Q. I appreciate that, sir. 12 A. Okay. 13 Q. But, please, you've expressed a professional 14 opinion that there would be no detrimental odors and I take 15 it you're saying what Brandywine says, had someone at 16 Brandywine literally said to you there will be no odors from 17 our dumpster? 18 A. No. 19 Q. Okay. And we all know what dumpsters are like. 20 And how about dust? Has, what do you know about the dust 21 that'll be associated with this trash enclosure? 22 A. I would not know of any noticeable amount of dust 23 that would come from that. I don't know what would generate 24 dust at this location. 25 Q. All right. You just don't know.</p>
<p style="text-align: right;">Page 251</p> <p>1 would again be a well-received building. 2 MS. GIRARD: That's all I have for Mr. Bolton. 3 MR. GROSSMAN: All right. Anybody want to 4 volunteer to be first on this one? 5 MR. CHEN: I don't care. 6 MR. GROSSMAN: Mr. Chen. 7 MR. CHEN: Okay. 8 CROSS-EXAMINATION 9 BY MR. CHEN: 10 Q. How does that enclosure protect against odors? 11 A. The, what is not shown on this plan is the actual 12 trash enclosure itself. The, and a representative of 13 Brandywine could speak to operations better than I can, but 14 I believe, my understanding from their operations is, is a 15 steel structure provided by their contracted trash company, 16 which has a roof and remains sealed at all times. 17 Q. Well, you just expressed a professional opinion 18 that there would be no odors detrimental to the community. 19 Now, I think everybody in this room has been around a 20 dumpster. Okay. Is there some special provision that 21 Brandywine is providing that their dumpster will not have 22 odors? Do you know of any? 23 A. My understanding again from, from Brandywine's 24 operations is that all trash is sealed prior to going into 25 the enclosure and the enclosure itself remains sealed. For</p>	<p style="text-align: right;">Page 253</p> <p>1 A. I don't, I'm not aware of anything from the 2 building that would generate dust at this location. 3 Q. Okay. How about noise? 4 A. I've, again, I can't speak exactly to the 5 operations. I don't think that, that a sealed enclosure 6 that is sitting in, surrounded by a masonry wall would 7 generate noise. No. 8 Q. Well, you mean sitting by itself? 9 A. Yes. 10 Q. Okay. But what happens when a trash collecting 11 truck comes to collect the trash? 12 A. We have discussed that in, in prior planning. I 13 believe they've restricted hours for that trash truck. 14 Q. Okay. You mean so that there will be the normal 15 associated hours for the trash collecting truck, but that'll 16 be dealt with by having them arrive to take the trash 17 between 7:00 a.m. and 7:00 p.m. three times a week? 18 A. I believe that was the arrangement made, agreement 19 for the trash removal. 20 Q. All right. So there's no, my point is there's 21 nothing, Brandywine doesn't have some special process by 22 which it can have trash collection trucks come and pick up a 23 dumpster and empty the dumpster and have no noise? 24 A. Not to my knowledge. 25 Q. Okay. Fine. That's another question. Do you</p>

<p style="text-align: right;">Page 254</p> <p>1 know how the trash gets into the dumpster?</p> <p>2 A. I don't.</p> <p>3 Q. Do you know how often trash is put into the</p> <p>4 dumpster?</p> <p>5 A. I do not.</p> <p>6 Q. Have you received any information from Brandywine</p> <p>7 as to how trash will be put into the dumpster and how often</p> <p>8 it'll be put into the --</p> <p>9 A. I don't know how often.</p> <p>10 Q. By the way, is, the garage door you were talking</p> <p>11 about? I believe the testimony this morning was that the</p> <p>12 16-passenger van would go into the interior parking area. I</p> <p>13 take it you're saying, and that was from the, the president</p> <p>14 and CEO of Brandywine. But I take it you're saying that</p> <p>15 that won't happen?</p> <p>16 A. As you know, design is a, is an iterative process</p> <p>17 and, and as we have worked through the design, as we</p> <p>18 currently show these elevations, that door is not sized for</p> <p>19 the 16-passenger van.</p> <p>20 Q. Are you saying, is it your testimony today that</p> <p>21 Brandywine is committing to the position that that entrance</p> <p>22 way to the garage will not accommodate the entry or exit of</p> <p>23 a, of the 16-passenger van?</p> <p>24 A. I am not in a position to make any commitments for</p> <p>25 Brandywine.</p>	<p style="text-align: right;">Page 256</p> <p>1 the Paul's property. I'm sorry.</p> <p>2 MR. CHEN: Yes.</p> <p>3 BY MR. CHEN:</p> <p>4 Q. This is the one facing the Paul's property.</p> <p>5 A. So if we look at the key plan, we're talking about</p> <p>6 this elevation --</p> <p>7 Q. Yes, sir.</p> <p>8 A. -- facing the Paul's property. Yes. That is this</p> <p>9 elevation.</p> <p>10 MR. UHRE: And that would be Exhibit --</p> <p>11 MR. GROSSMAN: You can, Mr. Uhre, you'll get an</p> <p>12 opportunity to cross-examine him --</p> <p>13 MR. UHRE: Okay. Okay.</p> <p>14 MR. GROSSMAN: -- and rip him if you can. Okay.</p> <p>15 MR. CHEN: Please. I don't, I was going with you.</p> <p>16 I want you to know that. Okay. It's, just so I'm sure.</p> <p>17 It's 79 F 6. Correct?</p> <p>18 MS. GIRARD: Yes.</p> <p>19 MR. CHEN: Okay.</p> <p>20 BY MR. CHEN:</p> <p>21 Q. As I said, Mr. Bolton, I was going with you. You</p> <p>22 know that.</p> <p>23 A. I appreciate that.</p> <p>24 Q. Just come back to that garage. It is your</p> <p>25 understanding that that garage entry is a full service, you</p>
<p style="text-align: right;">Page 255</p> <p>1 Q. Okay. But we do know, okay. Thanks. We do know</p> <p>2 what the president and CEO has said and you're not</p> <p>3 contradicting her, are you?</p> <p>4 A. I am simply saying that that garage door is lower</p> <p>5 and my understanding was that we were directed to design the</p> <p>6 Porte-cochere for the arrival and departure of the 16-</p> <p>7 passenger van.</p> <p>8 Q. And you heard the testimony this morning?</p> <p>9 A. I did.</p> <p>10 Q. Okay. By the way, which of the elevations face</p> <p>11 the due west to the Paul property?</p> <p>12 A. It's this elevation.</p> <p>13 Q. And what exhibit is that?</p> <p>14 MS. GIRARD: That's 79 F 6.</p> <p>15 MR. KAUFMAN: It's the wrong one.</p> <p>16 MR. CHEN: Somebody just said it's the wrong one.</p> <p>17 You, do you want to take a time out and --</p> <p>18 MS. GIRARD: But it's not 75 F 6? Is that what</p> <p>19 you're saying? The wrong one.</p> <p>20 MR. KAUFMAN: I think you, I think you need A 302.</p> <p>21 You can look at your arrows and it's --</p> <p>22 THE WITNESS: No, this, I'm sorry. It's written</p> <p>23 on here west elevation, key note no. 1, key note no. 1.</p> <p>24 That's the elevation.</p> <p>25 MR. UHRE: Well, I thought you wanted it toward</p>	<p style="text-align: right;">Page 257</p> <p>1 know, 24/7 use of a garage. Isn't that right?</p> <p>2 A. For the 18 spaces that are located there.</p> <p>3 Q. Yeah. And anything else that's, that's going in</p> <p>4 there. I'm not asking you what else is going in there, but</p> <p>5 --</p> <p>6 A. Right.</p> <p>7 Q. The exterior lights. Am I correct that those</p> <p>8 lights are on every night constantly?</p> <p>9 A. I don't know the operation of Brandywine's</p> <p>10 lighting program. So I, I can't speak to what the hours of</p> <p>11 operations of lights. I, we have designed the elevations</p> <p>12 and provided light fixtures for them. I have, I don't know</p> <p>13 when they will turn them on and off.</p> <p>14 Q. Are they going to be controlled by the residents?</p> <p>15 A. I don't believe so, but I don't know that.</p> <p>16 Q. And I take it the windows that we are seeing from</p> <p>17 the elevation, 79 F 6, are windows for residences within the</p> <p>18 facility?</p> <p>19 A. That is correct.</p> <p>20 Q. And I take it when you step further back, going</p> <p>21 east where the facility structure goes up another floor,</p> <p>22 there are windows facing, in that third floor, facing the</p> <p>23 west as well. Is that correct, sir?</p> <p>24 A. You're referring to this elevation?</p> <p>25 Q. Yeah. Yeah. I think that's where you said that</p>

<p style="text-align: right;">Page 258</p> <p>1 it steps up to three --</p> <p>2 A. It, it does step up at that location.</p> <p>3 MR. GROSSMAN: Wait a minute. You said to the</p> <p>4 west?</p> <p>5 MR. CHEN: Well, no. East. I didn't say west. I</p> <p>6 said going east.</p> <p>7 MR. GROSSMAN: Okay. I thought you said west.</p> <p>8 But okay. East.</p> <p>9 MR. CHEN: If I said west, I apologize. I meant</p> <p>10 going east.</p> <p>11 MR. GROSSMAN: I see. Okay.</p> <p>12 MR. UHRE: You said west. The windows are facing</p> <p>13 west.</p> <p>14 THE WITNESS: So there are --</p> <p>15 MR. CHEN: I, the, the windows are facing west.</p> <p>16 THE WITNESS: -- windows facing west here and</p> <p>17 here. Yes.</p> <p>18 BY MR. CHEN:</p> <p>19 Q. Okay. And there are residences as well, sir?</p> <p>20 A. That's correct.</p> <p>21 MR. GROSSMAN: But wait a minute. That, that's</p> <p>22 east. Right?</p> <p>23 MR. CHEN: It's got to be east.</p> <p>24 THE WITNESS: I'm sorry. Then I misunderstood the</p> <p>25 question.</p>	<p style="text-align: right;">Page 260</p> <p>1 MR. GROSSMAN: Oh, I see. On this side.</p> <p>2 MR. KAUFMAN: Yeah.</p> <p>3 MS. GIRARD: Yeah.</p> <p>4 MR. KAUFMAN: The back side of that floor.</p> <p>5 MR. GROSSMAN: This side. I thought he was</p> <p>6 pointing over here.</p> <p>7 MR. CHEN: I'm with Mr. Kaufman.</p> <p>8 MR. GROSSMAN: So he's over here. And, and the</p> <p>9 windows are looking in this direction from here. So facing</p> <p>10 west from there. Okay.</p> <p>11 MS. GIRARD: Correct.</p> <p>12 MR. GROSSMAN: I got you.</p> <p>13 MR. CHEN: Mr. Examiner, would you like Mr. Bolton</p> <p>14 to make that more clear for you?</p> <p>15 MR. GROSSMAN: No, no. He just did. Or I made it</p> <p>16 clear for myself. I'm not sure which. Okay.</p> <p>17 MR. CHEN: Okay.</p> <p>18 MR. GROSSMAN: Be careful. I've got a laser in my</p> <p>19 hand.</p> <p>20 MR. CHEN: Please.</p> <p>21 BY MR. CHEN:</p> <p>22 Q. Also you mentioned that aside from the other</p> <p>23 exterior lighting, there is emergency lighting on the second</p> <p>24 levels on, on the exterior of the, the structure?</p> <p>25 A. That are indicated on the elevations. Yes.</p>
<p style="text-align: right;">Page 259</p> <p>1 MR. CHEN: Well, no, I think he's right. It's --</p> <p>2 MS. GIRARD: It's on the east side of the plan,</p> <p>3 but the windows face west.</p> <p>4 MR. CHEN: Yeah.</p> <p>5 MR. GROSSMAN: Okay. Facing --</p> <p>6 THE WITNESS: Just the windows.</p> <p>7 MS. GIRARD: If you're standing in the window</p> <p>8 looking out, you're looking west.</p> <p>9 MR. CHEN: Yeah.</p> <p>10 THE WITNESS: No.</p> <p>11 MR. GROSSMAN: No. You're looking east.</p> <p>12 MR. CHEN: Can someone rotate it to north?</p> <p>13 THE WITNESS: North. So, all right.</p> <p>14 BY MR. CHEN:</p> <p>15 Q. Mr. Bolton, I just, I just want you to know, I'm</p> <p>16 still with you.</p> <p>17 A. Sure.</p> <p>18 Q. And I think he, I think you're correct. Those</p> <p>19 windows are facing west. They may be, they're facing my</p> <p>20 client, in theory, they're going --</p> <p>21 MR. GROSSMAN: No. Here, here, you're saying in</p> <p>22 here?</p> <p>23 MR. CHEN: The third floor.</p> <p>24 MR. GROSSMAN: Third floor.</p> <p>25 MR. CHEN: The third --</p>	<p style="text-align: right;">Page 261</p> <p>1 Q. And how many of them are there?</p> <p>2 A. I would have to go back and count from the</p> <p>3 elevations. I don't know.</p> <p>4 Q. Am I correct on understanding those only come on</p> <p>5 if there is an emergency?</p> <p>6 A. That's correct.</p> <p>7 Q. Okay.</p> <p>8 A. Those are not on in any normal basis whatsoever.</p> <p>9 Q. Okay.</p> <p>10 MR. GROSSMAN: Bill, I, I have a question for you</p> <p>11 in reference to your questions about windows and lighting.</p> <p>12 Are you suggesting that the light that might emerge from the</p> <p>13 window or a, or a number of windows in the facility counts</p> <p>14 towards the photometric amount? Or what, what are you</p> <p>15 suggesting with regard to that?</p> <p>16 MR. CHEN: I, I, clearly, I do not think that that</p> <p>17 illumination of the lighting can in any way violate the, the</p> <p>18 standard.</p> <p>19 MR. GROSSMAN: Okay.</p> <p>20 MR. CHEN: I'm not saying that.</p> <p>21 MR. GROSSMAN: All right. Okay. Okay.</p> <p>22 MR. CHEN: But, please, the issue of compatibility</p> <p>23 and harmony is not automatically decided by, oh, photometric</p> <p>24 shows that at the property line they're in compliance with</p> <p>25 the ordinance.</p>

<p style="text-align: right;">Page 262</p> <p>1 MR. GROSSMAN: Oh, of course not. I, I agree with 2 that. Okay. 3 MR. CHEN: Yeah. That's exactly right. 4 BY MR. CHEN: 5 Q. I know the Examiner took a little bit of my 6 thunder, but I, I have a couple questions about 79 I, the 7 extended site section. 8 A. Um-hmmm. 9 Q. First of all, the vegetation that you are showing 10 or the trees that you're showing between my client's 11 property and the proposed senior living community, as I 12 understood, what you were saying is the larger ones. And it 13 looks to me there's three large ones that, that you can't 14 tell us where exactly they are, but they're taken off of a, 15 a satellite image or -- 16 A. We, again, tried to match from aerial views as 17 best we could. This is representative and intended, it's, 18 in fact, diagrammatic in nature, but -- 19 Q. Okay. And the smaller ones are, at least on your 20 property, intended to be planted. Is, is that correct? 21 A. Right. We were trying to, to match locations of 22 plantings from the site planner. 23 Q. And, but as far as the smaller ones on what would 24 be my client's property, they were just put, put there, I 25 take it?</p>	<p style="text-align: right;">Page 264</p> <p>1 MR. KAUFMAN: We've got one -- 2 MS. GIRARD: Yeah. Um-hmmm. 3 MR. GROSSMAN: -- the home to, to the building? 4 MS. GIRARD: There is. Which exhibit are we -- 5 MR. GROSSMAN: Then I, see, I misunderstood the 6 extended site section that's showing that. But -- 7 THE WITNESS: Small -- 8 MS. GIRARD: I want the card. 9 MR. UHRE: Do you want the card or would you like 10 this instead? 11 BY MR. CHEN: 12 Q. What exhibit are you looking at, sir? 13 MR. GROSSMAN: Yes. What exhibit are we talking 14 about? 15 MS. GIRARD: Existing condition. 16 MR. GROSSMAN: But the existing conditions plan is 17 not going to show the -- 18 MS. GIRARD: 12. 19 MR. UHRE: Actually, in the, 12? 20 THE WITNESS: To the property line. It is 12. 21 MS. GIRARD: He's, yeah. 22 MR. GROSSMAN: So that it'll show to the property 23 line anyway. And then I guess we could -- 24 MS. GIRARD: And then you -- 25 MR. CHEN: Well, I'm going to get to that too, but</p>
<p style="text-align: right;">Page 263</p> <p>1 A. Again, trying to match as best we could from the 2 photograph. 3 Q. Now, am I correct that both the horizontal and 4 vertical scale is identical? 5 A. That is correct. 6 Q. Okay. And, indeed, the slice that you took was 7 dictated by going to the middle of the proposed building, 8 but that intersects with my client's house at a point that 9 is not the closest point between my client's house and the 10 proposed building. Isn't that correct? 11 A. I, that is correct and I don't believe that that 12 is stated anywhere on this drawing. 13 Q. I'm, I'm not saying it's a misrepresentation. Do 14 you have, do you know what would be the distance between 15 the, the closest points between my client's residence and 16 the, and the proposed building? 17 A. I don't. I, I can't scale it from this key plan. 18 I, I could again from our, our model and the GIS topographic 19 map, but I don't know. 20 Q. And, and it's also -- 21 A. I, I'm sorry. I assume you're referring to the, 22 that corner of your client's house. 23 Q. Yes, I am. Yeah. Thank you. Going -- 24 MR. GROSSMAN: Well, let me ask. Is there a plan 25 that does show the distance from the closest point of the --</p>	<p style="text-align: right;">Page 265</p> <p>1 I mean -- 2 THE WITNESS: Well -- 3 MR. CHEN: -- first of all, what exhibit are we 4 on? 5 MS. GIRARD: 12. 6 MR. CHEN: 12. Thank you. Okay. 7 BY MR. CHEN: 8 Q. And I think the question was the distance between 9 the closest point between my client's residence and the 10 proposed structure. 11 MS. GIRARD: Right. You just have to do some 12 math, I believe. 13 MR. KAUFMAN: It's not an architect scale. 14 THE WITNESS: Right. 15 MS. GIRARD: We can have our civil engineer 16 testify to it, if that's easier. 17 THE WITNESS: Yeah. Okay. Have him -- 18 MR. GROSSMAN: Well, obviously it's going to be 19 the next hearing and, and by the time we have the next 20 hearing, I'd actually like to see a plan -- 21 THE WITNESS: I think that -- 22 MR. GROSSMAN: -- that actually shows that 23 distance and not based on the existing thing, but based on 24 what you proposed from the building and showing the distance 25 to the home.</p>

<p style="text-align: right;">Page 266</p> <p>1 BY MR. CHEN:</p> <p>2 Q. Let's stick just for a minute still a little bit</p> <p>3 longer with 79 I. The previous witness said that at one</p> <p>4 point there's six inches between my client's property line</p> <p>5 and one of those bio planting units.</p> <p>6 MR. GROSSMAN: Bio retention planter.</p> <p>7 BY MR. CHEN:</p> <p>8 Q. Where, where part of the turnaround was. So that</p> <p>9 in looking at your Exhibit 79 I, I, I take it and, you know,</p> <p>10 my concern is, quite candidly, is that when you look at 79 I</p> <p>11 and you look at the key plan down below, you're cutting</p> <p>12 close through that area of the turnaround where the distance</p> <p>13 was six inches off the property line. And as I understand</p> <p>14 your, your exhibit here, you're showing the property line</p> <p>15 and if the testimony of Mr. Sloan is, is correct in those</p> <p>16 other plans, the actual, when you start looking at distances</p> <p>17 and property lines and buffer and the turnaround area,</p> <p>18 you're, you're really coming out to this property line. Am</p> <p>19 I mistaken?</p> <p>20 MR. GROSSMAN: What's coming out to the property</p> <p>21 line?</p> <p>22 MR. CHEN: The improvements on the site in the</p> <p>23 turnaround area.</p> <p>24 MR. GROSSMAN: Oh, I see. The improvements, but</p> <p>25 not the structure of the --</p>	<p style="text-align: right;">Page 268</p> <p>1 Q. What has been the analysis, if you know, because</p> <p>2 you, you did say it would protect my client? What is the</p> <p>3 test or the analysis that says that vegetation will screen</p> <p>4 my client's property from noise, vision, anything?</p> <p>5 A. I think as we've testified throughout the day,</p> <p>6 there are, in addition to the vegetation, there are side</p> <p>7 walls. There are a number of features at the perimeter of</p> <p>8 the site to reduce glare or eliminate glare to the extent</p> <p>9 possible, to reduce any sound transmission should it exist.</p> <p>10 Q. Who said that? Mr. Sloan said that?</p> <p>11 A. He testified regarding walls along the property.</p> <p>12 Yes.</p> <p>13 Q. As noise attenuation devices?</p> <p>14 A. I don't think he said they were noise attenuation.</p> <p>15 I think the vegetation and the walls do provide something of</p> <p>16 a buffer.</p> <p>17 Q. What, if any, knowledge, and you may not, you can</p> <p>18 answer. What, if any, noise attenuation provisions are</p> <p>19 there for this proposed facility? Exterior.</p> <p>20 A. To my knowledge, none at this point.</p> <p>21 Q. Are you aware of any treatise or documents that</p> <p>22 would say that the vegetation proposed at this location</p> <p>23 which screen property from noise or vision?</p> <p>24 A. Vision? I, I think, I haven't, I feel that the</p> <p>25 vegetation would provide a visual screen. If I said that it</p>
<p style="text-align: right;">Page 267</p> <p>1 MR. CHEN: I'm not talking --</p> <p>2 MR. GROSSMAN: Not the main structure.</p> <p>3 MR. CHEN: I apologize. If I was, I did not meant</p> <p>4 to mislead, Mr. Grossman. I apologize.</p> <p>5 MR. GROSSMAN: Okay. Okay. No, I understand.</p> <p>6 BY MR. CHEN:</p> <p>7 Q. But isn't that correct, sir?</p> <p>8 A. I, I won't dispute the earlier testimony. I, I</p> <p>9 didn't design the bio retention pond, but I understand --</p> <p>10 Q. Okay. Yeah, but it's, all right. And I heard</p> <p>11 your testimony that the screening will consist of vegetation</p> <p>12 and will protect my client. You recall that, sir?</p> <p>13 A. Um-hmmm.</p> <p>14 Q. What is your understanding of what that screening</p> <p>15 will be?</p> <p>16 A. As was testified earlier, there is a wide variety</p> <p>17 of landscape planning that will go along the perimeter of</p> <p>18 the front, all sides of, of the existing property.</p> <p>19 Q. And we're talking about vegetation that'll have to</p> <p>20 be planted. Do you know the size and age of the vegetation</p> <p>21 that would be planted here?</p> <p>22 A. I believe that was mentioned in earlier testimony.</p> <p>23 Q. Yeah. Okay. I'll let it pass then. I'll let it</p> <p>24 pass.</p> <p>25 A. I do not --</p>	<p style="text-align: right;">Page 269</p> <p>1 would provide an acoustical buffer, then I misspoke.</p> <p>2 Q. All right. Thank you, sir. I appreciate your</p> <p>3 candor.</p> <p>4 A. Um-hmmm.</p> <p>5 Q. And when you are of the opinion that it will</p> <p>6 provide a visual screen, at what, how do I say this? Is it</p> <p>7 dependent upon some age of the vegetation? I mean does the</p> <p>8 Holly go in at six inches high? I assume that even with you</p> <p>9 that would --</p> <p>10 MR. GROSSMAN: That's not a testimony. It's the,</p> <p>11 the --</p> <p>12 MR. CHEN: Well, I mean hypothetically, if they</p> <p>13 were to plant a, a two foot Holly bush.</p> <p>14 MR. GROSSMAN: Well, he said what he'd plant it</p> <p>15 at. He, yeah, he testified --</p> <p>16 MR. CHEN: Well --</p> <p>17 MR. GROSSMAN: -- so let's, let's not use a</p> <p>18 hypothetical. It's contrary to the testimony.</p> <p>19 MR. CHEN: Okay.</p> <p>20 MR. GROSSMAN: I have to find it. He said the</p> <p>21 Hollies are eight to 12 feet when planted and the</p> <p>22 Rhododendron Maximum are 48 inches high when planted.</p> <p>23 BY MR. CHEN:</p> <p>24 Q. So you're comfortable with that size to be a</p> <p>25 visual screen?</p>

<p style="text-align: right;">Page 270</p> <p>1 A. I am.</p> <p>2 Q. And --</p> <p>3 A. And will --</p> <p>4 Q. I take it none of, none of, I'm sorry. I didn't</p> <p>5 want to --</p> <p>6 A. I was going to say and will obviously continue to</p> <p>7 fill out as it as it grows.</p> <p>8 Q. Okay. And none of them are deciduous?</p> <p>9 A. I don't --</p> <p>10 MS. GIRARD: Mr. Bolton didn't testify as to the</p> <p>11 landscape plan.</p> <p>12 MR. CHEN: I understand that, but he did testify</p> <p>13 that he had a professional opinion that the screening of, of</p> <p>14 vegetation would protect my client. I'm entitled to plumb</p> <p>15 that.</p> <p>16 THE WITNESS: I'm sorry. Would you repeat the</p> <p>17 question?</p> <p>18 BY MR. CHEN:</p> <p>19 Q. Yeah. Were any, is any of that vegetation</p> <p>20 deciduous?</p> <p>21 A. I believe, I don't know if any of the vegetation</p> <p>22 is deciduous. I know, as was testified earlier regarding</p> <p>23 the Rhododendron and the Holly.</p> <p>24 Q. Okay. By the way, I know you testified that</p> <p>25 there'll be granite or stone and concrete. What, what</p>	<p style="text-align: right;">Page 272</p> <p>1 Q. Light coming off. I'm not concerned about</p> <p>2 satisfying the requirements for candle power at the</p> <p>3 boundary. I just want to know if one is standing on my</p> <p>4 client's property and looking at the facility that you've</p> <p>5 designed and it's nighttime and people are in their, their</p> <p>6 units playing pinochle. I think that's what they play.</p> <p>7 They're playing pinochle.</p> <p>8 MR. GROSSMAN: I don't know.</p> <p>9 BY MR. CHEN:</p> <p>10 Q. And there are these exterior lights.</p> <p>11 MR. GROSSMAN: Unfortunately, I'll find out at</p> <p>12 some point.</p> <p>13 MR. CHEN: No. No. That's a hell of note, isn't</p> <p>14 it?</p> <p>15 MR. KAUFMAN: We have --</p> <p>16 BY MR. CHEN:</p> <p>17 Q. What will my clients see? Can you tell, tell us?</p> <p>18 Do you, can you do that?</p> <p>19 A. You're asking me to speculate on the hours of a</p> <p>20 rest home, which I, I can't do.</p> <p>21 Q. All right. And you also said, and I quote, put</p> <p>22 quotes with it. You said that a majority of the tenants or</p> <p>23 residents, I'm sorry. A majority of the residents would use</p> <p>24 the front door. Where would the non-, non-majority use?</p> <p>25 MS. GIRARD: I don't recall him saying that.</p>
<p style="text-align: right;">Page 271</p> <p>1 color? You didn't answer the color of this, what, what</p> <p>2 color will it be? Will it be like the rendering that we've</p> <p>3 got?</p> <p>4 A. Yes. That's --</p> <p>5 Q. Fine. Okay. Just so I'm clear on this because,</p> <p>6 and I apologize. I keep coming back to this buffer and</p> <p>7 your, your opinion. So my clients are going to be looking</p> <p>8 up with this difference in elevation of something like 20 or</p> <p>9 some odd, maybe even larger than that. And it's your</p> <p>10 testimony that standing in the back of the house or in the</p> <p>11 house, even in the house, that that'll be sufficient buffer.</p> <p>12 A. I believe that the landscape planning that is</p> <p>13 provided will provide a visual buffer.</p> <p>14 Q. Even at the second floor of the house?</p> <p>15 A. I believe there will be something of a buffer.</p> <p>16 Whether it is complete, I, I have not said that you will not</p> <p>17 be able to see a single portion of the building. I do</p> <p>18 believe it will still provide something of a visual buffer.</p> <p>19 Q. Do you know, sir, what will be the illumination of</p> <p>20 this building at night?</p> <p>21 A. I do not.</p> <p>22 MS. GIRARD: Define illumination.</p> <p>23 MR. GROSSMAN: Yeah. A fair, fair question. When</p> <p>24 you say illumination of the building --</p> <p>25 BY MR. CHEN:</p>	<p style="text-align: right;">Page 273</p> <p>1 MR. CHEN: Yeah. That's a quote.</p> <p>2 MR. GROSSMAN: I don't recall it, but he can</p> <p>3 explain it if he wants.</p> <p>4 BY MR. CHEN:</p> <p>5 Q. Yeah.</p> <p>6 A. There are parking spaces at the Terrace Level. It</p> <p>7 is conceivable a resident wants, might come in at that</p> <p>8 level.</p> <p>9 Q. Okay.</p> <p>10 A. I, that is not the design intent. That is not</p> <p>11 where the front door is located, but I can't say that a</p> <p>12 resident might not drive into the parking garage and go into</p> <p>13 the building.</p> <p>14 Q. Thank you. Now you also, when we talked about the</p> <p>15 mechanical equipment locations, you, you identified, as, as</p> <p>16 I understand it, three possible areas. One is the generator</p> <p>17 at the rear or the western, I guess the western point --</p> <p>18 MR. GROSSMAN: Right.</p> <p>19 BY MR. CHEN:</p> <p>20 Q. -- of the facility. Is that correct, sir?</p> <p>21 A. That is correct.</p> <p>22 Q. And behind that wall, as I understand, is there,</p> <p>23 is that going to be enclosed or just going to be a vertical</p> <p>24 wall?</p> <p>25 A. I believe, as was mentioned in earlier testimony,</p>

<p style="text-align: right;">Page 274</p> <p>1 that's an 18, I think it was an 18 foot --</p> <p>2 Q. 14, I think it was 14.</p> <p>3 A. 14-foot.</p> <p>4 Q. Okay. I thought he was talking about that one.</p> <p>5 But --</p> <p>6 MR. GROSSMAN: Yeah. That's the 14-foot wall.</p> <p>7 MR. CHEN: There's going to be --</p> <p>8 MR. GROSSMAN: It goes around two sides of it, it</p> <p>9 looks like, according to this diagram in Exhibit 92 A, or</p> <p>10 92.</p> <p>11 BY MR. CHEN:</p> <p>12 Q. And what is your understanding of what'll be</p> <p>13 behind that?</p> <p>14 A. A generator.</p> <p>15 Q. Do you know if there were, you do know a generator</p> <p>16 makes noise. Isn't that correct, sir?</p> <p>17 A. When it's in operation.</p> <p>18 Q. Yeah. And so, presumably this, these generators</p> <p>19 will also make noise when they're in operation.</p> <p>20 A. When they're in operation and the noise level</p> <p>21 depends on the type of generator, the size, the fuel source.</p> <p>22 None of which has been determined at this point.</p> <p>23 Q. I take it though they will be generating power for</p> <p>24 the facility?</p> <p>25 A. In the event of an emergency.</p>	<p style="text-align: right;">Page 276</p> <p>1 equipment. Whatever they are.</p> <p>2 A. They're, perhaps.</p> <p>3 Q. Yeah. Okay. Rooftop. Where will the rooftop</p> <p>4 equipment be?</p> <p>5 A. On the portion of the, the, what we're calling</p> <p>6 the, the two-story roof on the west portion of --</p> <p>7 Q. Will be on the west portion.</p> <p>8 A. Yes.</p> <p>9 Q. And what equipment will that be?</p> <p>10 A. I don't know the extent of the equipment. Again,</p> <p>11 we haven't designed the full mechanical system at this point</p> <p>12 so it is typical for most buildings, residential and</p> <p>13 otherwise, to have rooftop mechanical units.</p> <p>14 Q. What would be typical? What type of typical</p> <p>15 rooftop --</p> <p>16 A. Condensers, you could have a chiller, as we were</p> <p>17 discussing earlier.</p> <p>18 Q. Okay. You also mentioned that the architect --</p> <p>19 MR. GROSSMAN: Mr. Chen, I want you to keep in</p> <p>20 mind that you said you, you needed to get your car at 5:00.</p> <p>21 So I want to know how much more do you have?</p> <p>22 MR. CHEN: I've got some more and I assume he has.</p> <p>23 Would, I, I can stop now if you want.</p> <p>24 MR. GROSSMAN: Well, I'm not telling you to stop</p> <p>25 now. I'm just telling you, if you have more cross-</p>
<p style="text-align: right;">Page 275</p> <p>1 Q. And rooftop.</p> <p>2 MR. GROSSMAN: Well, before you get to the</p> <p>3 rooftop. How often do they have to be tested?</p> <p>4 THE WITNESS: I, they are exercised periodically.</p> <p>5 I don't know the frequency of that.</p> <p>6 MR. GROSSMAN: All right. Go ahead.</p> <p>7 BY MR. CHEN:</p> <p>8 Q. Would weekly sound right to you?</p> <p>9 A. No, I don't think it's weekly. No, that doesn't</p> <p>10 sound right.</p> <p>11 Q. Okay. Okay.</p> <p>12 MR. UHRE: In a nursing home, you better.</p> <p>13 MS. GIRARD: It's not a nursing home.</p> <p>14 THE WITNESS: Brandywine could speak to that.</p> <p>15 MR. CHEN: It's, okay. Relax, relax, relax.</p> <p>16 BY MR. CHEN:</p> <p>17 Q. And then there will be interior mechanical</p> <p>18 equipment as well. And that'll be in that Terrace Level</p> <p>19 garage area.</p> <p>20 A. That's correct. Inside the building. At the</p> <p>21 Terrace Level.</p> <p>22 Q. Okay. So there might be maintenance vehicles</p> <p>23 coming to those --</p> <p>24 A. To the loading area.</p> <p>25 Q. Into, into that area where those pieces of</p>	<p style="text-align: right;">Page 277</p> <p>1 examination that's going to take you past 5:00, you should</p> <p>2 tell me.</p> <p>3 MR. CHEN: I'm, I, I think I'm definitely going to</p> <p>4 go to 5:00 at least.</p> <p>5 MR. GROSSMAN: Mr. Uhre, can you fit yours into 30</p> <p>6 seconds? No, I'm just --</p> <p>7 MR. UHRE: Depends on how fast we can change the</p> <p>8 size. I've got two or three questions is all. Quick</p> <p>9 questions.</p> <p>10 MR. GROSSMAN: Okay. All right. So maybe we can,</p> <p>11 I'd love to finish with this witness today so.</p> <p>12 MR. CHEN: I'm with you. Okay.</p> <p>13 BY MR. CHEN:</p> <p>14 Q. You've talked about architecturally the style is</p> <p>15 similar to detached houses. Do you remember that, sir?</p> <p>16 A. I think I said English Tudor. Yes.</p> <p>17 Q. Yeah. Yeah. But you also, I thought you were</p> <p>18 very careful. You said there were many house with two and a</p> <p>19 half stories with steep pitches. Correct?</p> <p>20 A. Steeper pitches. Yes.</p> <p>21 Q. How many three-story houses did you see?</p> <p>22 A. I don't know that I've seen any three stories.</p> <p>23 I've seen some that have similar height to our building.</p> <p>24 Q. And when you say you've seen them, how have you</p> <p>25 seen them?</p>

<p style="text-align: right;">Page 278</p> <p>1 A. I have visited the site several times and drive in 2 neighborhoods around the site. 3 Q. So you're, you drive by a house and say that looks 4 like it's going to be about what we're going to have. 5 A. I can see that there are either two or an, an 6 attic level above that. 7 Q. Okay. Towards the end of your testimony, right, 8 close in, you, you made the observation. This is in quotes. 9 That from an architectural point of view, the use would, 10 quote, serve the community well, end quote. What do you, 11 what do you mean by that? 12 A. As architects we look to design projects that are 13 relished by the community. They are loved by the folks that 14 live in the neighborhoods. In my opinion, this type of use, 15 this type of building, once it's built and solid, will, will 16 be received and serve the community well. 17 Q. Is that an architectural opinion? 18 A. I can testify that architecturally buildings that 19 are well designed, well thought through, are the buildings 20 that tend to be preserved, liked, enjoyed. I feel that this 21 is a well-designed and well thought out building. 22 Q. Okay. 23 MR. CHEN: Thank you. 24 MR. GROSSMAN: Thank you. Mr. Uhre. 25 MR. UHRE: Yes.</p>	<p style="text-align: right;">Page 280</p> <p>1 MR. GROSSMAN: Yeah. What exhibit is this? He 2 said 17 -- 3 MS. GIRARD: He said 17 H. 4 MR. GROSSMAN: But is that, is that an updated 5 version of it or is it, it is 17 H. 6 MR. UHRE: It may not be the amended one. 7 MS. GIRARD: It's the same version. Yeah. 8 MR. GROSSMAN: What is the current number of it so 9 that we are consistent in -- 10 MR. KAUFMAN: That's the south elevation. 11 THE WITNESS: Yes. It is the south elevation. 12 MS. GIRARD: Let me just -- A 302. So that is 79 13 F 5. 14 MR. GROSSMAN: 79 -- 15 MR. UHRE: It's 79 5? 16 MS. GIRARD: F 5. 17 MR. UHRE: F 5. 18 MR. GROSSMAN: F 5. Okay. All right. 19 BY MR. UHRE: 20 Q. Would this not be the garage doors right here? 21 A. I think, believe I testified that those were the 22 garage doors. 23 Q. Okay. But that's, this is on Exhibit 79 5, right? 24 MS. GIRARD: That's 5. 25 BY MR. UHRE:</p>
<p style="text-align: right;">Page 279</p> <p>1 CROSS-EXAMINATION 2 BY MR. UHRE: 3 Q. The, what is up here now is not what faces the 4 Pauls' site, right? 5 MR. GROSSMAN: Well, you can't testify, but -- 6 MR. UHRE: I'm sorry. I'm not asking a question, 7 I guess. 8 MR. GROSSMAN: He's already, and he's, he's 9 testified that -- 10 MR. UHRE: Okay. 11 MR. GROSSMAN: that bottom diagram on, yes, on 79 F 12 -- 13 MR. KAUFMAN: F 6. 14 MS. GIRARD: Yeah. 15 MR. KAUFMAN: 79 F 6. 16 MR. GROSSMAN: -- is the portion that faces the, 17 the Paul's. That's what he's testified. You can disagree 18 and testify something else when you testify, but -- 19 MR. UHRE: Could I then see 17 H? What I have is 20 17 H. A 302. 21 MR. GROSSMAN: 17 H. 22 BY MR. UHRE: 23 Q. And are these notations down here indication of 24 what -- 25 MR. KAUFMAN: What exhibit are you on?</p>	<p style="text-align: right;">Page 281</p> <p>1 Q. And the Pauls' property -- 2 A. The Pauls' property is here. 3 Q. -- is right out here. Is right in this area. 4 Right? 5 A. The Pauls' property is here. Yes. 6 Q. Okay. So -- 7 A. So the elevation that -- 8 Q. -- this is, this the area that showing against the 9 Pauls' property right here. Right? 10 A. That is the elevation that I would, it's the 11 southern elevation which is facing Manor Care. I, the one 12 that I have testified, the west elevation that is facing the 13 Pauls' property is, is here. So this is on essentially the 14 southwest. 15 Q. Okay. The garage door is made out of what type of 16 material? 17 A. We haven't fully determined. I think we had noted 18 it on the elevations as a decorative metal parking gate. 19 Q. And is that going to open automatically every time 20 a car comes and goes? 21 A. We haven't determined the operation. 22 Q. Well, what other option would there be? If people 23 would get out and open the garage door? 24 A. It, it will open in some fashion to let someone 25 drive in. Yes.</p>

<p style="text-align: right;">Page 282</p> <p>1 Q. And so you, you can't tell us what the noise level</p> <p>2 will be from the garage door opening?</p> <p>3 A. Because we have not designed the garage door yet.</p> <p>4 Q. And the last question. Can you tell me what the</p> <p>5 distance is from the trash enclosure to the Pauls' property?</p> <p>6 A. No. I cannot. But that is on a site drawing --</p> <p>7 MR. GROSSMAN: We're going to get a, the next, the</p> <p>8 next session of this hearing, we're going to get a diagram,</p> <p>9 have a diagram from the applicant that will show those</p> <p>10 distances.</p> <p>11 MR. UHRE: Okay.</p> <p>12 THE WITNESS: That would best come up for the</p> <p>13 civil plans.</p> <p>14 MR. UHRE: That's all I have.</p> <p>15 MR. GROSSMAN: All right. Any redirect?</p> <p>16 MS. GIRARD: For, for what it's worth, I just</p> <p>17 wanted, our, and our engineer will testify to it, but</p> <p>18 informally we're measuring 290 is that dimension to, to the</p> <p>19 extent people want to know before the next hearing. We'll</p> <p>20 have some --</p> <p>21 MR. CHEN: What, what is that, what is that</p> <p>22 measure?</p> <p>23 MS. GIRARD: The closest point of the Pauls'.</p> <p>24 MR. CHEN: Oh, okay. Thank you.</p> <p>25 MS. GIRARD: Yes. Just --</p>	<p style="text-align: right;">Page 284</p> <p>1 MS. GIRARD: No.</p> <p>2 MR. GROSSMAN: All right. Let's, let's mark that</p> <p>3 as 94. Exhibit 94, Google untouched aerial view.</p> <p>4 MR. CHEN: I thought there was some that, some</p> <p>5 trees had put in it.</p> <p>6 MR. GROSSMAN: Of site. And 94 A will be the 11 x</p> <p>7 17 version of Exhibit 94. Would you mark on there Exhibit</p> <p>8 94, please?</p> <p>9 (Hearing Exhibits 94 and</p> <p>10 94 A were marked for</p> <p>11 identification.)</p> <p>12 MS. GIRARD: Yes.</p> <p>13 MR. GROSSMAN: All right.</p> <p>14 BY MS. GIRARD:</p> <p>15 Q. So just to make that point. So on the left-hand</p> <p>16 side here we have Exhibit 75 B. That's the rendered oblique</p> <p>17 that you'd submitted into the record. Correct? And on the</p> <p>18 right was Exhibit 90 and can you explain what, what was in</p> <p>19 those for the trees and why?</p> <p>20 MR. CHEN: What is, I apologize. What is the</p> <p>21 first exhibit number?</p> <p>22 MS. GIRARD: 75 B.</p> <p>23 MR. GROSSMAN: V- as in Victor, right?</p> <p>24 MS. GIRARD: B- as in boy.</p> <p>25 MR. GROSSMAN: Oh. B- as in boy. Yes. Okay.</p>
<p style="text-align: right;">Page 283</p> <p>1 MR. GROSSMAN: 200, 290 feet.</p> <p>2 MS. GIRARD: Yes.</p> <p>3 MR. GROSSMAN: Okay.</p> <p>4 REDIRECT EXAMINATION</p> <p>5 BY MS. GIRARD:</p> <p>6 Q. Just a quick, two quick questions, Mr. Bolton.</p> <p>7 One, in your experience in a facility of this type, do</p> <p>8 people use shades on their windows?</p> <p>9 A. They do typically. And we, our firm often</p> <p>10 provides interior design service of projects of this type</p> <p>11 and almost always the rooms are designed to provide for</p> <p>12 interior window treatments.</p> <p>13 Q. And so as it got dark, you would expect that some</p> <p>14 residents would use the shades?</p> <p>15 A. I would expect for the residents' benefit. I</p> <p>16 think they would like their privacy.</p> <p>17 Q. Okay. And one other thing. With regard to the</p> <p>18 screening. Can you pull up the, one thing we haven't</p> <p>19 explained that I wanted to before the end of the day was the</p> <p>20 trees in the oblique. We had promised to show you the</p> <p>21 aerial without the enhancement to make it apples to apples.</p> <p>22 I apologize. I forgot that. I'm sorry.</p> <p>23 MR. GROSSMAN: And we don't have, is that in the</p> <p>24 record yet?</p> <p>25 MR. KAUFMAN: Not yet.</p>	<p style="text-align: right;">Page 285</p> <p>1 THE WITNESS: So Exhibit 75 B with the building</p> <p>2 shown in the rendering also has the landscape rendering</p> <p>3 taken from the civil plans, or in the landscape plans around</p> <p>4 the building. And as so to not provide a stark contrast, we</p> <p>5 added foliage to the trees, the existing trees that were</p> <p>6 shown on the aerial plan, in essence, so that this would be</p> <p>7 an apples to apples comparison. To not show one in season</p> <p>8 and one out of season. The intent was to show a uniformity</p> <p>9 of the representation. Obviously this is a rendering. This</p> <p>10 is taking a model and, and when we do renderings we provide</p> <p>11 them at, at full bloom.</p> <p>12 BY MS. GIRARD:</p> <p>13 Q. And when you testified as to the screening you</p> <p>14 thought the proposed landscape would provide, did you have</p> <p>15 an image such as this in mind?</p> <p>16 A. I did. And I was thinking and referring to this</p> <p>17 area of vegetation and foliage between the Pauls' residence</p> <p>18 and the project.</p> <p>19 Q. And just to make it clear, you coordinated that</p> <p>20 imagery with the engineer to make sure it was accurate?</p> <p>21 A. We, we did. We used the landscape plan.</p> <p>22 MS. GIRARD: That's all I have.</p> <p>23 MR. GROSSMAN: All right. Any recross on those</p> <p>24 points? Seeing no hands, I'm sorry. Oh. Mr. Chen.</p> <p>25 RECROSS EXAMINATION</p>

<p style="text-align: right;">Page 286</p> <p>1 BY MR. CHEN:</p> <p>2 Q. So, so that as I understand your testimony, sir,</p> <p>3 with Exhibit 75 B, the one on the left, you've added in</p> <p>4 apparently mature trees.</p> <p>5 A. No, sir.</p> <p>6 Q. Okay.</p> <p>7 A. We have added, I'm sorry. You should finish.</p> <p>8 Adding mature trees where?</p> <p>9 Q. Yeah. On, I just, let's, let's try to be clear</p> <p>10 about this. I'm looking at that exhibit. These trees I see</p> <p>11 in here. They seem to me to be mature trees. In fact, they</p> <p>12 seem to me to be mature deciduous trees and I, I take it</p> <p>13 they have been added to this aerial view.</p> <p>14 A. As a part of the rendering, yes. To represent</p> <p>15 what is shown on the landscape plan.</p> <p>16 Q. And as I said, they are mature trees. Full grown</p> <p>17 trees. Do you know when those plantings would become full</p> <p>18 grown as depicted in that exhibit? How long it would take</p> <p>19 for them to reach that maturity?</p> <p>20 A. I'm not a landscape architect so I, I can't speak</p> <p>21 to how many years.</p> <p>22 MR. CHEN: Did you hear that, Mr. Grossman?</p> <p>23 MR. GROSSMAN: Yes.</p> <p>24 MR. CHEN: Okay.</p> <p>25 BY MR. CHEN:</p>	<p style="text-align: right;">Page 288</p> <p>1 about it. We'll stay on the record.</p> <p>2 I think my staff was giving me a hint. When I</p> <p>3 tried to get back in the door was locked. All right. So.</p> <p>4 What looks good as the next date?</p> <p>5 MR. CHEN: I, I will tell you up front I'm wiped</p> <p>6 out for the rest of this month. I, I, I cannot and I will</p> <p>7 not be here the rest of this month. I've got one court</p> <p>8 hearing. I don't know how many meetings with officials.</p> <p>9 And I've got two briefs due in the Court of Appeals November</p> <p>10 30th. I will not be here.</p> <p>11 MS. GIRARD: With all due respect, we can't have</p> <p>12 this go on a month. I mean certainly there's got to be</p> <p>13 something that can be moved around.</p> <p>14 MR. CHEN: I, I, I don't have anything that can,</p> <p>15 that can be moved. Those, those briefing dates have been</p> <p>16 set.</p> <p>17 MR. GROSSMAN: Well, when are, when are</p> <p>18 suggesting, when are you suggesting, Mr. Chen?</p> <p>19 MR. CHEN: I'm, I'm pretty good I think in</p> <p>20 December.</p> <p>21 MR. GROSSMAN: How, how's about December 1?</p> <p>22 MR. CHEN: I'm supposed to be before the County</p> <p>23 Council then, but --</p> <p>24 MR. KAUFMAN: I have Council meetings also that</p> <p>25 day. How about, but --</p>
<p style="text-align: right;">Page 287</p> <p>1 Q. And, again, just going to Exhibit 94. Do you know</p> <p>2 when that aerial photograph was taken, sir? Do you have a</p> <p>3 date on --</p> <p>4 A. I don't. I can find out prior to our --</p> <p>5 Q. So, but we don't know season or anything like</p> <p>6 that. Okay. It is what it is.</p> <p>7 MR. GROSSMAN: Did you have any questions, Mr.</p> <p>8 Uhre?</p> <p>9 MR. UHRE: No. Thank you.</p> <p>10 MR. GROSSMAN: All right. Thank you. All right.</p> <p>11 So I think that's as far as we can go today. Is, is there</p> <p>12 any reason why this witness has to come back for the next</p> <p>13 session? Seeing, no. I think he will, we can dismiss you.</p> <p>14 Thank you.</p> <p>15 MR. CHEN: Well, that's up to the applicant. I</p> <p>16 mean --</p> <p>17 MR. GROSSMAN: Well, right. That's up to you.</p> <p>18 You can certainly bring him back.</p> <p>19 MS. GIRARD: Right. We will if we need to.</p> <p>20 MR. GROSSMAN: All right.</p> <p>21 MR. BOLTON: Thank you.</p> <p>22 MR. GROSSMAN: Thank you, sir.</p> <p>23 And let's talk about, why don't you get your</p> <p>24 calendars out? Let me grab a calendar, a hearing calendar</p> <p>25 from my office and I'll be back in a minute and we'll talk</p>	<p style="text-align: right;">Page 289</p> <p>1 MR. GROSSMAN: I --</p> <p>2 MR. KAUFMAN: -- the 2nd and the 3rd and the 4th.</p> <p>3 MR. GROSSMAN: I can't, I can't do the 2nd because</p> <p>4 this room is used by the Board of Appeals on Wednesday. We</p> <p>5 could --</p> <p>6 MR. CHEN: How about the rest of that week?</p> <p>7 MR. GROSSMAN: We could do the, well, I have a</p> <p>8 hearing on the Friday, the 4th.</p> <p>9 MR. KAUFMAN: He can't do the 4th.</p> <p>10 MR. GROSSMAN: But we could do Thursday, the 3rd.</p> <p>11 MR. KAUFMAN: The 3rd.</p> <p>12 MR. CHEN: I will, I will tell you one thing, Mr.</p> <p>13 Examiner, and I represent this early on.</p> <p>14 MR. GROSSMAN: Yes.</p> <p>15 MR. CHEN: I have been contacting people about</p> <p>16 that exhibit and I will tell you I found one who would meet</p> <p>17 with me at least because I think my clients are, that, that</p> <p>18 exhibit is directed towards my clients and I want an</p> <p>19 opportunity to have a professional look at it. So, and I'm</p> <p>20 going to be doing that, I don't know when. But let's, let's</p> <p>21 go with --</p> <p>22 MR. KAUFMAN: You've got a whole month.</p> <p>23 MR. CHEN: You know.</p> <p>24 MS. GIRARD: Yeah.</p> <p>25 MR. CHEN: Yeah. But survey crews don't go --</p>

<p style="text-align: right;">Page 290</p> <p>1 MS. GIRARD: And I, I think we would request that</p> <p>2 that could overlap. If we get here, if we have to wait a</p> <p>3 full month for the second hearing only to have Mr. Chen say</p> <p>4 he didn't have a chance to talk to anyone.</p> <p>5 MR. GROSSMAN: Right.</p> <p>6 MR. CHEN: No.</p> <p>7 MR. KAUFMAN: I'd also like to recommend if we do</p> <p>8 the 3rd, if I could, that we come right back in Monday and</p> <p>9 Tuesday of the next week. Okay. This is going to go more</p> <p>10 than two days. We know that. So.</p> <p>11 MR. GROSSMAN: Well --</p> <p>12 MR. CHEN: You know I, I --</p> <p>13 MR. GROSSMAN: I don't know that, but, but as I</p> <p>14 said, I have a hearing on the 4th. I have another one on</p> <p>15 the 11th. We might be able to do the 7th, but let's, let's</p> <p>16 assume that if we don't complete it on the 3rd, that we will</p> <p>17 come back on the 7th. And I'll have to check. I don't, I</p> <p>18 haven't, I don't have my personal calendar in front of me,</p> <p>19 but I don't --</p> <p>20 MR. KAUFMAN: What I'm suggesting, Mr. Examiner,</p> <p>21 is that we get at least two days we know we can --</p> <p>22 MR. GROSSMAN: Right. And I'll, I'll check my</p> <p>23 calendar inside. In terms of hearings, we can do it on the</p> <p>24 3rd. That's a, that's a Planning Board day, you know. So.</p> <p>25 MR. CHEN: I, I will tell you that I was told by</p>	<p style="text-align: right;">Page 292</p> <p>1 (On the record.)</p> <p>2 MR. GROSSMAN: Okay. So December 3 and December 7</p> <p>3 if we have to go over. But I'm sure that, that we'll finish</p> <p>4 on December 3. Right, Mr. Chen? Ms. Girard?</p> <p>5 MS. GIRARD: I, I won't hold it up.</p> <p>6 MR. GROSSMAN: Mr. Uhre. All right.</p> <p>7 MR. CHEN: I'm still back on my comments about 10</p> <p>8 minutes ago.</p> <p>9 MR. GROSSMAN: All right.</p> <p>10 MR. CHEN: I've got two hearings.</p> <p>11 MR. UHRE: We've got two dates. The 3rd and the</p> <p>12 7th.</p> <p>13 MR. GROSSMAN: That's correct. All right. So I'm</p> <p>14 announcing that as I, at a public hearing that we will</p> <p>15 resume Conditional Use 16-01, Brandywine, on December 3 at</p> <p>16 9:30 a.m. in this hearing room. And again, if necessary, on</p> <p>17 Monday, December 7, 2015 at 9:30 a.m. in this hearing room.</p> <p>18 That suit everybody? I think we're all happy. All right.</p> <p>19 I thank you all.</p> <p>20 MS. GIRARD: Thank you.</p> <p>21 MR. GROSSMAN: And I think it's a Friday. So have</p> <p>22 a great weekend.</p> <p>23 MR. CHEN: I've got appointments all weekend</p> <p>24 stacked up.</p> <p>25 (Whereupon, at 5:11 p.m., the hearing was</p>
<p style="text-align: right;">Page 291</p> <p>1 this one organization, who is supposed to call me back</p> <p>2 today, and I said I'm not, I'm going to be in a hearing</p> <p>3 today. They're supposed to call me back. They said that</p> <p>4 they are three, two to three weeks backed up on getting a</p> <p>5 survey crew out. I'm just telling you.</p> <p>6 MR. KAUFMAN: But this is exhibit you've had for a</p> <p>7 month already.</p> <p>8 MR. GROSSMAN: We're not going to, if we're going</p> <p>9 to delay a month between today and the next hearing date,</p> <p>10 we're not going to delay any further to wait for somebody to</p> <p>11 survey. So you'll have to get those ducks in line. All</p> <p>12 right. So that would be 9:30 a.m. on December 3.</p> <p>13 MR. KAUFMAN: And going to 7th or 8th. Either one</p> <p>14 of those? Would they work?</p> <p>15 MR. GROSSMAN: And I'm going to look at, I have to</p> <p>16 go back in my office and check my computer to make sure I'm</p> <p>17 not booked in for something on, on the 7th.</p> <p>18 MR. KAUFMAN: The 4th? No. Not for us.</p> <p>19 MR. GROSSMAN: All right. I shall return.</p> <p>20 MR. CHEN: You shall return today?</p> <p>21 MR. GROSSMAN: I shall return in moments. I just</p> <p>22 have to check my computer to make sure it's not something I</p> <p>23 have.</p> <p>24 (Off the record.)</p> <p>25 (Off the record discussion.)</p>	<p style="text-align: right;">Page 293</p> <p>1 concluded.)</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

DEPOSITION SERVICES, INC., hereby certifies that
the attached pages represent an accurate transcript of the
electronic sound recording of the proceedings before the
Office of Zoning and Administrative Hearings for Montgomery
County in the matter of:

Case No.: CU 16-01 Application of Brandywine
Senior Living at Potomac, LLC

By:

Consuella Miles, Transcriber

	96:5;130:5	11:25;18:6;14;35:7;	118:11;227:8	251:1,23;253:4;
\$	accommodations (1)	46:22;68:21;120:10;	adopted (4)	262:16;263:1,18;
	64:1	10;124:7,17,25;130:21;	71:18;118:21;130:2,	276:10;287:1;292:16
\$150 (1)	accompany (1)	24;131:10;134:21;	2	against (5)
65:6	88:19	135:5,17,21;138:9,22;	adult (5)	32:23;34:18;157:25;
\$300 (1)	accomplishing (1)	142:4,20;144:4;	44:24;52:1;63:4,10;	251:10;281:8
65:7	229:13	145:14,20,21;151:16,	71:3	age (9)
	accordance (1)	19;152:16;155:6;	advance (6)	44:25;64:9;65:16;
[183:11	164:8;169:11;171:2;	24:14;39:10;43:20,	66:7;73:12;171:8;
	according (2)	180:10;187:18;193:19;	22,23;44:6	229:12;267:20;269:7
[No (1)	105:16;274:9	194:13,18;197:5;	advancing (1)	ager (1)
221:14	Accordingly (2)	198:8;199:22;203:24;	65:1	46:8
	27:7;97:14	204:12;205:21;209:2;	adverse (2)	aging (1)
A	account (1)	216:12;217:9;220:18;	169:11;220:9	44:18
	50:21	222:21;229:23;233:13,	adversity (1)	ago (9)
AA (2)	accredited (1)	20;236:18;246:17;	170:23	15:3;16:4,18;22:9;
201:1,21	226:13	248:23;249:24;264:19;	aerial (28)	35:15;60:16;86:3;
abbreviating (1)	accuracy (4)	265:20,22	9:21;77:2,5,5;	163:18;292:8
201:10	17:11;18:25;60:9;	add (6)	120:18,25;122:10;	agree (15)
abide (1)	241:16	23:17;56:22;78:19,	130:10;160:12;162:10,	13:16;23:5,12,25;
111:21	accurate (8)	21;145:24;163:21	11,18;163:5,15;	24:5;32:1;37:24;38:22;
ability (6)	13:23;19:6;93:6;	added (7)	186:23;187:19,22;	39:10;46:7;57:1;129:6;
60:23;100:5;110:15,	216:11;217:5;223:23;	77:6;147:2;176:2;	205:22;218:15;222:19;	213:22;240:13;262:1
25;131:12;158:9	238:9;285:20	285:5;286:3,7,13	244:8,9;262:16;	agreeable (2)
able (13)	accurately (2)	adding (2)	283:21;284:3;285:6;	90:16;147:13
7:24;8:5;17:10;	26:4;123:12	140:8;286:8	286:13;287:2	agreed (2)
44:25;47:22;52:14;	acknowledge (2)	addition (4)	affect (1)	50:12;194:9
53:1;65:23;94:15;	19:7;69:2	68:8;135:3;167:20;	170:22	agreement (2)
99:14;151:22;271:17;	acoustical (1)	268:6	Affidavit (6)	84:13;253:18
290:15	269:1	additional (11)	10:20,21,22;11:1,11,	ahead (6)
above (13)	acquired (1)	138:22;145:25;	21	43:5;77:14;87:1;
96:20;151:7,22;	43:9	146:22,22;151:21;	affiliate (1)	90:19;212:24;275:6
158:1;199:7;200:22,	acre (1)	199:9,17;200:7,11;	58:6	aide (1)
25;207:15;220:11;	5:9	220:13;233:8	affirm (3)	110:3
232:24;234:17;239:1;	acres (4)	address (12)	41:9;117:3;225:7	aides (1)
278:6	29:15,20;217:7,21	6:11;10:11,12;22:20;	affluent (1)	110:24
absolute (1)	across (15)	39:4,41;18,20;70:18;	66:10	aimed (1)
217:3	46:18;78:2;86:5;	149:13;156:25;225:19;	afford (1)	245:25
absolutely (5)	131:15;153:20;154:7;	238:14	66:4	air (7)
18:3;31:6;86:18;	157:16,18;162:1;	addressed (2)	afforded (1)	174:22;235:7,8,9,10,
88:3;143:23	167:3;202:14;216:20;	214:23;238:13	27:20	13,13
absorbs (1)	237:20,21,21	addressing (2)	affording (1)	aisle (18)
235:8	acting (1)	91:24;130:2	17:19	123:20;124:8;
abutting (4)	180:18	adequate (1)	afield (1)	129:23;130:11,20;
139:9;170:10;	action (1)	158:6	20:10	137:3,23;138:7,10;
221:11;248:20	134:6	adjacency (1)	afternoon (3)	145:4,24;158:18;
accept (3)	active (2)	166:12	8:1;49:5;147:23	173:6;179:6;196:12,
55:17;118:13;127:15	49:14;63:6	adjacent (18)	again (57)	12;216:8;222:23
acceptable (1)	activities (5)	6:4;31:4;45:12;	29:10;32:7;35:23;	Albert (1)
93:6	49:11;67:13;74:8;	130:21;131:10,11;	36:10,21,21,23;38:4;	125:9
accepted (2)	107:1;233:1	137:12;145:12,13;	39:5;51:15;52:21;	Alexandria (1)
115:20;117:20	activity (7)	173:12;175:7;201:23;	67:16;92:16;104:14;	225:20
accepting (1)	66:17;95:25;114:23;	218:25;222:10;237:20;	109:20;112:21;121:16;	Alfred (1)
19:25	149:18;168:2;170:6;	238:14;245:3,9	130:10;151:21;152:25;	225:2
access (13)	175:20	adjust (1)	156:13;157:23;160:11;	alley (5)
54:12,13;97:24;98:9;	acts (1)	76:19	173:4;184:7;197:1;	93:8,11,12;151:4;
101:8;129:21,22;	206:5	adjustment (1)	198:25;204:5;207:8;	190:4
158:8,9;160:2;168:7;	actual (9)	239:5	213:16;222:16;224:22;	allow (2)
193:25;221:2	126:9;132:14;	administering (2)	230:25;231:12;232:11,	195:14;199:6
accommodate (7)	133:23;145:19;149:21;	64:18,19	15;233:22;235:22;	allowance (1)
8:7,11;34:4;54:16;	195:5;223:8;251:11;	Administrative (1)	237:24;243:12;245:5,	180:6
191:18;197:17;254:22	266:16	5:15	10;247:12,22;248:11;	allowed (8)
accommodated (2)	actually (59)	admission (2)	249:13;250:7,24;	30:17;33:4;135:24;

151:5,9,11;157:13; 180:20 allows (1) 232:19 almost (10) 124:20;134:17; 160:9;196:17;197:10, 16;202:6;223:20; 237:24;283:11 alone (2) 45:1;46:6 along (55) 12:10;30:9;48:2; 69:3;79:7;128:10; 130:5;134:17,25; 136:9,17,18;137:3,23; 139:6;145:8,23,25; 149:1;153:22;158:20; 167:19;173:2,5,5,7,8; 176:19,24;180:17,17; 182:1;184:20,20; 190:2,16;192:7;199:5; 204:1,3,13,14,18; 205:7;210:9,10,13,14, 16;216:18;222:23; 230:23;231:6;267:17; 268:11 alter (1) 194:21 alternative (1) 39:22 although (6) 10:2;125:1;155:7; 160:13;161:25;166:15 always (11) 41:2;42:5;45:7;49:3; 52:17,23;69:23;78:21; 106:11;116:18;283:11 Alzheimer's (1) 62:8 Amazon (1) 82:17 ambience (1) 151:1 ambient (1) 138:15 ambulance (11) 74:11;78:14;84:16, 19;85:24;88:11;89:8; 94:1,2,15,19 ambulances (2) 85:18;158:11 amend (3) 27:21;32:9;37:12 amended (5) 35:14;36:19;37:1; 140:12;280:6 amendment (13) 32:3;36:4,8,9;37:23; 39:6;117:15;198:8,10, 10;199:23,23;200:5 amendments (2) 36:6,7	amenities (2) 177:9;233:21 amenity (4) 129:14;232:25; 233:10,23 America (1) 42:11 American (5) 139:10,11,18;178:6; 226:11 among (2) 22:2;214:17 amount (11) 28:24;48:1;65:25; 80:24;138:4;168:15; 197:18;216:16;223:1; 252:22;261:14 ample (1) 46:24 analogous (1) 12:7 analysis (19) 15:10;27:2,7,11; 29:13,19,23;36:2; 61:11;119:9;148:2,3; 161:3;164:20;166:9; 215:2,4;268:1,3 analyzed (2) 20:15;148:15 and/or (1) 88:14 angle (1) 231:9 announcing (1) 292:14 anointing (1) 159:24 answered (7) 61:12;89:17;111:15, 18,20;189:22;203:16 anticipate (2) 48:7,20 anymore (3) 46:6;65:21,22 apartment (1) 71:3 apartments (1) 211:13 apex (5) 179:7;180:17;184:2; 196:10;205:7 apologize (22) 15:20;25:4;28:14; 92:7;93:12;100:20; 103:24;110:11;114:4, 7,16;176:22;184:8; 187:20;210:1;234:4; 258:9;267:3,4;271:6; 283:22;284:20 apparently (2) 162:7;286:4 Appeals (4) 19:17;165:20;288:9;	289:4 appear (5) 24:14;38:8;106:5; 191:5;219:23 appearance (1) 13:3 appeared (2) 18:8;162:3 appears (1) 37:16 apples (6) 188:2,2;283:21,21; 285:7,7 applicable (9) 12:9;32:18;35:12; 36:17,25;37:5,6;39:11, 13 applicant (15) 8:8;10:22;12:20; 27:3,20;29:14;32:2; 38:24;55:17;147:18; 150:20;156:17;183:12; 282:9;287:15 applicant's (3) 17:21;76:13;214:13 application (18) 9:2;10:25;16:16; 26:6;27:19;29:6;30:5; 35:10;36:2;39:23; 55:12,22;118:19; 126:12;181:6;200:5; 229:18,22 applied (1) 28:22 apply (2) 9:14;101:20 appointed (1) 128:17 appointment (1) 87:16 appointments (3) 51:16,17;292:23 appreciate (10) 30:2;59:2;99:5; 103:9,9;115:15; 215:16;252:11;256:23; 269:2 approach (4) 35:22;36:1,12; 161:10 appropriate (9) 10:24;32:20;39:17, 18,20;106:9;130:19; 203:11;215:4 approval (16) 27:4;31:18;35:12; 36:19,25;37:1;39:13, 14;55:11;132:8; 133:21;159:12;164:24; 181:17,22;228:11 approvals (4) 35:14;36:18;164:21; 198:11	approve (4) 35:10;134:5;159:9,9 approved (14) 71:18;90:17;118:21; 124:4,12,16;132:7; 148:25;158:7,10; 166:14;167:5;186:13; 191:15 approves (1) 194:5 approving (2) 132:14;133:25 approximate (1) 164:22 approximately (8) 5:11;148:9;190:10; 191:1;205:10;206:12; 225:24;234:16 April (1) 71:18 arborvitae (1) 178:3 architect (28) 78:25;92:21;99:14; 115:6;129:12;137:9; 150:12;151:18;154:5; 155:8;161:15;163:3; 168:3;170:5;171:18; 174:18;182:7,14; 187:2,12;219:2; 225:22;226:5;227:11; 228:19;265:13;276:18; 286:20 architects (4) 57:8;226:12;229:10; 278:12 architect's (1) 208:3 architectural (8) 172:19;226:10; 231:6;248:6,17; 250:19;278:9,17 architecturally (3) 248:8;277:14;278:18 architecture (20) 117:10;118:1,5,15; 128:21,22;150:12; 167:10;226:3,4,16; 227:9,15,25;228:5,5,6; 229:7,9;248:22 Arden (3) 184:23,25;186:1 Area (138) 28:21;40:24;44:19; 45:4,11;50:5;55:5; 56:23;67:15;70:19,23; 79:12;80:3;82:14;83:4, 10;91:22;92:13,17,19, 24,25;94:16;96:8,9; 98:23;99:6;101:17,19; 103:8;113:20,22; 114:2,10,12,13;118:13, 19,23;120:21;123:13,	16;124:14;126:12; 130:14,25;131:17,24, 25;134:12,14,15,16,23, 24,24;135:19;139:1,3, 4;141:19,21,21;142:3; 143:3,8;144:1;145:11, 23;146:23;152:6; 155:13,15;157:3; 158:22;161:4;168:17; 169:16;170:7;171:1,9; 174:20;178:10,12,15, 18,18,20,21;179:9,18; 180:11,24;181:3; 182:25;183:16,22; 184:23,24;185:10; 191:4;192:20;195:5, 14;197:4,5;199:5; 203:17,22;204:4; 205:7;206:3;207:9; 209:22;210:16;211:2, 5;216:19;218:12; 222:13,14,18,25; 223:15;224:4,5,6; 229:18;254:12;266:12, 17,23;275:19,24,25; 281:3,8;285:17 areas (10) 24:3;99:25;103:13; 120:17;131:19,21; 135:25;153:15;156:18; 273:16 Argentum (1) 42:10 argue (3) 34:22;35:18;214:9 arguing (1) 215:6 argument (3) 37:2;213:20;214:10 arguments (2) 39:9;215:13 arise (1) 28:6 Arizona (1) 63:5 Around (41) 18:10;46:17,25; 64:24;67:5;77:24; 102:15;135:13,20; 138:9;144:15;146:2; 150:23;151:1;155:11, 15;158:15,17;159:5; 160:23;161:7;177:25; 180:22;194:11;197:19; 201:5;205:4;211:10, 12;216:19;219:16; 222:22;223:20;229:24; 234:14;250:8;251:19; 274:8;278:2;285:3; 288:13 around-the- (1) 45:20 arrangement (1)
---	---	--	--	--

253:18 arrival (1) 255:6 arrive (3) 107:3;232:13;253:16 arrives (1) 54:22 arriving (2) 40:22;108:23 arrow (11) 159:21;160:4,5,9,10; 161:8;162:15;163:7,8, 11,25 arrows (3) 195:18;196:8;255:21 articulation (2) 150:13;170:5 ascertain (1) 184:12 aside (7) 19:7;20:11;31:1; 90:7;95:12;114:9; 260:22 aspects (1) 31:15 assess (1) 64:11 assessed (1) 215:10 assessing (1) 218:22 assessment (2) 175:25;176:1 assets (2) 66:1,4 assistance (2) 63:10;64:9 assistants (2) 110:1,2 assisted (11) 5:8;42:6,11;51:19; 62:21;63:24;70:25; 71:1,10,14;185:10 associated (4) 26:12;175:4;252:21; 253:15 Associates (1) 226:18 Association (4) 7:7,10,11;52:16 associations (1) 42:9 assuage (2) 19:8,13 assume (12) 67:6;88:7;95:12; 108:15;110:17;156:21; 165:25;206:5;263:21; 269:8;276:22;290:16 assumed (1) 186:7 assuming (4) 8:6;174:8;218:10;	227:21 attached (1) 21:12 attaching (1) 200:19 Attachment (6) 14:14,15;18:8;21:5; 133:9;236:9 attempt (3) 39:3;189:10;231:14 attention (1) 13:6 attenuation (3) 268:13,14,18 attic (1) 278:6 attorney (1) 116:20 attributes (1) 92:23 audible (1) 221:14 audience (3) 7:3,17;59:3 augment (1) 176:16 augmented (1) 175:22 authentication (1) 116:21 authorization (2) 11:9,10 authorizes (1) 11:17 automatically (4) 10:6,9;261:23; 281:19 available (5) 8:24;21:6;45:5; 97:11;110:13 Avenue (1) 208:24 average (13) 51:7;62:25;63:20,22; 66:22;69:18;72:17; 85:20;86:2,3,5;107:12; 148:10 aware (17) 53:7;54:11;71:25; 87:20;117:20;176:3,9, 10;183:15;184:22; 188:5,15;189:9,19; 218:23;253:1;268:21 away (9) 39:16;52:3,3;54:23; 68:5;81:25;85:21; 130:20;239:20	226:2 bachelor's (1) 41:24 back (71) 7:4;12:13;18:16; 19:14;29:17;30:17; 33:15;35:16;38:14; 45:8;49:20;50:5;54:24; 55:4;68:15;86:4;91:11, 17;92:2;95:21;109:7; 123:19;129:25;134:22; 137:4,24;147:12,24; 151:5,16,18;153:3; 156:2,11;157:16,18,23; 158:18,19;163:20; 167:1;183:19;190:1,9, 13;195:15;201:5; 218:11;219:22;222:24; 230:24;231:9,10; 234:20;237:21;256:24; 257:20;260:4;261:2; 271:6,10;287:12,18,25; 288:3;290:8,17;291:1, 3,16;292:7 backed (1) 291:4 background (5) 41:23;43:3;226:1; 228:20;229:8 backwards (1) 163:23 backyard (2) 243:1;244:5 Bacon (15) 40:17;41:5,7,7,12, 17;57:5;58:22;75:11; 76:21;89:7;91:20; 97:18;115:14;182:24 Bacon's (2) 115:20;212:2 bad (1) 200:8 bags (1) 182:25 ball (2) 208:9,13 balls (1) 204:20 bare (1) 29:19 barren (1) 187:18 barrier (3) 98:24;99:1,4 base (7) 26:11,13;27:11,14; 63:25;125:23;242:3 based (16) 16:16;29:22,23; 55:20;56:10;58:17; 61:4;64:17;85:15; 194:9;215:10;229:7; 242:24;244:8;265:23,	23 basement (1) 99:25 basic (2) 64:20;193:15 basically (17) 130:9,15;131:7; 154:14;155:8;161:5; 173:6;177:13;194:7; 195:10,13;199:5; 204:19;205:17;211:9; 213:7;218:14 basins (1) 125:22 basis (7) 30:4,6;37:2;104:3, 16;245:6;261:8 bays (4) 231:8;247:23,25; 249:9 beams (2) 138:6,14 Bear (2) 159:14;169:21 become (3) 52:19,25;286:17 becomes (1) 239:22 bed (5) 49:18;107:2;217:8,9, 23 bedroom (2) 64:3,3 beds (18) 5:8;47:8,11,14; 61:25;62:4,6,14; 106:19;148:24;172:1, 3;217:3,7,12,21;218:6, 7 beg (2) 74:3,3 beginning (3) 30:20;64:14;213:17 begins (1) 195:6 behalf (7) 5:25;6:16,17,19; 16:9;25:8;36:11 behind (10) 140:16;173:23; 174:11,14;175:2; 221:10;234:19;238:3; 273:22;274:13 below (9) 130:21;151:20; 177:25;192:15;200:23; 210:22;217:10;233:9; 266:11 Ben (1) 18:7 benefit (2) 241:1;283:15 Berbert's (1)	18:7 berm (1) 221:10 berries (1) 178:8 besides (1) 113:23 best (11) 69:3;103:10,12; 121:20;139:23,23; 164:10;241:7;262:17; 263:1;282:12 better (12) 9:9;40:19,21;110:25; 120:19;138:8;161:10; 163:3;167:6;185:6; 251:13;275:12 beyond (11) 31:3;44:1;135:23; 158:1;170:13;173:16, 17;179:2,5;220:11; 232:19 big (8) 65:25;83:7;94:11; 102:23;122:16;139:17; 213:25;236:16 biggest (1) 46:8 Bill (2) 6:3;261:10 BIM (1) 242:4 bio (11) 146:4,7,9,15;199:5; 216:19;223:17,20; 266:5,6;267:9 bio- (1) 146:25 bio-retention (1) 147:3 bisecting (1) 241:24 bit (28) 8:18,25;24:1;46:9; 52:18;62:20,23;67:10; 91:20;124:24;126:9; 131:24;145:6;147:9; 149:11,22;151:3; 158:3;171:2;172:20; 180:23;187:14;202:21; 207:19;221:3;239:19; 262:5;266:2 black (2) 162:15;163:8 blizzard (1) 94:12 Blocher (1) 5:21 block (3) 138:4;197:9;199:10 blocked (1) 138:18 bloom (1)
	B			
	B- (3) 53:22;284:24,25 Bachelor (1)			

285:11 BOA (1) 165:25 Board (42) 10:8;15:2,6,10,18; 19:15,17;21:1;25:12; 31:14;37:25;42:12,13, 14;50:10;53:8;55:11; 63:25;127:15;132:6; 133:22,25;134:3,6; 135:11,11;140:15,15, 16;161:13;162:1; 165:19,20;188:17; 198:14;220:16,17; 228:14;236:20;237:10; 289:4;290:24 boards (1) 42:8 Board's (1) 10:7 Bobcat (1) 113:15 bodies (1) 73:22 body (1) 117:10 Bolton (20) 224:21,23;225:2,3,5, 9,13;226:17,18;229:6, 17;241:10;248:6; 251:2;256:21;259:15; 260:13;270:10;283:6; 287:21 Bolton's (2) 227:7,11 booked (1) 291:17 both (22) 12:15;14:18;39:9; 42:4;45:1;51:22;59:19; 62:15;124:14;139:10; 156:18;160:8;210:15; 212:11;213:5,16,21; 231:15;248:22;249:20, 20;263:3 bottom (8) 121:16;122:23; 128:8;141:6;147:2; 160:13;230:19;279:11 boundaries (1) 231:1 boundary (4) 130:13,17;168:21; 272:3 box (3) 195:10;197:15,15 Boy (5) 52:22;53:22;120:3; 284:24,25 Boys (1) 52:22 brains (1) 76:19	brand (2) 32:16;105:11 Brandywine (34) 5:3,25;41:19;42:7; 43:14,17;46:19;54:16; 57:22;58:4,9,11,13; 59:7,9,21;60:1,15; 68:6;128:15;198:18; 220:8;251:13,21; 252:7,15,16;253:21; 254:6,14,21,25;275:14; 292:15 Brandywine's (3) 45:7;251:23;257:9 break (17) 91:5,6,11;104:8; 147:7,21;220:2; 224:13,15;231:7,12; 242:18;247:25;248:3, 14,14;249:24 breakfast (4) 49:10;106:16,21; 108:19 breaking (2) 231:10;247:20 breakout (1) 172:3 Brenda (2) 40:17;41:7 brick (1) 249:7 Brickyard (7) 6:14,19,24;10:13; 12:14,14;54:12 bridge (1) 47:20 brief (2) 8:1;43:6 briefing (1) 288:15 briefly (2) 166:8;232:9 briefs (1) 288:9 bring (8) 13:6;22:7;45:6; 68:14;70:11;84:7; 222:20;287:18 bringing (3) 25:1;74:9,11 broken (2) 45:20;104:4 brought (4) 149:22;150:15; 215:18;235:25 bubble (12) 120:16;124:1,2,7; 188:14,15;189:4,7,11; 206:15;213:25;214:12 bubbles (3) 120:20;206:19,22 buffer (54) 31:10,11;32:24;33:7;	46:25;124:10,14; 125:25;129:25;132:2; 134:12,16;153:25; 176:19,24;177:21; 178:18,20,22,24;179:1, 9,18;180:7,16,21,24; 181:3,12;192:25; 193:8;205:14;210:9, 10,13,18,19,22,23,25; 211:2;216:7,19,22; 223:15;224:5;266:17; 268:16;269:1;271:6, 11,13,15,18 buffering (2) 91:22;220:12 buffers (2) 124:16;179:19 building (160) 17:5;28:6;33:25; 34:7;47:5;49:8,9; 66:20,21;69:22,24; 79:8,10;83:13,16,18; 84:8;94:7;95:9;101:12; 105:8,9,15,16,17,20; 109:5;113:9;115:2; 129:15,16;130:23; 131:13,18;135:14; 137:24;141:17,19; 150:13;151:6;152:2,2, 19;153:3,12;154:2,2,5, 9,10,21,25;155:25; 156:12,19;157:19; 158:13,18,21,24; 161:11;166:25;171:17; 172:12,25;173:12,18; 174:5;175:12,13,13; 177:23;179:7,14; 184:9;190:20,20,21; 191:14,25;192:24; 193:13,17;195:15; 202:24;203:9,10; 204:2,9,10,11;206:21; 213:13;226:13;227:24, 25;229:22,24;230:22, 24;231:8,10,11,15,18; 232:2,22,25;233:5,6; 234:25;236:4,5; 237:23;238:1,17,20,21, 23,24;239:6;240:2; 241:24;242:6,11,13,19; 243:2,5,9,10;244:11; 245:9,13;246:11,12,24; 248:1,13,14,15,24; 249:3;251:1;253:2; 263:7,10,16;264:3; 265:24;271:17,20,24; 273:13;275:20;277:23; 278:15,21;285:1,4 buildings (20) 43:13;52:23;57:10; 87:9;92:23;120:17; 184:16;185:14,15; 186:13;206:10,14,17,	25;218:24;231:23; 249:1;276:12;278:18, 19 built (13) 33:2;43:6,8;46:22; 63:3;70:21;72:18; 105:10;166:14,14; 205:21;211:12;278:15 bulb (1) 136:6 bulk (1) 248:10 bulk-wise (1) 157:12 Bullis (6) 46:18;52:12,13;68:5; 126:23;127:5 bunch (1) 107:3 burden (1) 249:24 bus (13) 54:14;55:7;68:3,4,8, 17,24;69:4;112:12; 113:1;246:18,22;247:1 buses (1) 55:8 bush (1) 269:13 business (10) 30:24;41:18;44:13; 52:16;66:6;85:13,16; 102:23;112:12;225:19 butler (2) 64:4,4 butlers (1) 62:22 buy-in (1) 65:25	calling (2) 42:18;276:5 came (5) 70:21;208:23; 214:19;220:18;222:1 can (180) 16:12;18:17,24; 21:25;22:13;23:5,6; 24:15,16;30:3,10,12, 24;31:6,21;32:13; 34:22,22;37:19;38:6, 18;39:20,22;41:17; 42:16;43:5;44:5,14; 46:10;47:12,14;48:6; 49:4;51:10;58:17;60:5, 24;62:20;63:13,23; 64:2,2,3,4;66:3;71:12; 74:20,20;78:1;79:1,16; 80:15,23;81:5;82:22; 85:19,24,25;86:14; 87:9,11;88:20;92:21; 94:10,95;2;96:2,18; 97:22;99:10;107:14; 110:14;115:6;118:2; 119:8;120:19;121:25; 122:16,19,20;123:24; 130:7;132:23;134:4; 138:23;139:19;140:3; 141:18;143:16;144:8; 145:7;152:24;154:5; 158:15;162:17;163:21; 172:18;185:1;187:19, 23;188:1,2,24;190:2, 10;191:1;197:3; 199:19;200:22;202:8; 203:1;204:16,25; 205:3;206:10;208:8, 14,22;210:9;211:7; 213:2,8;214:9;216:9; 217:4,8,16;218:13,18; 219:18;221:2;225:18, 25;229:21;232:9,9; 233:25;234:2;238:14; 239:5;241:15;242:23; 243:6;244:10;245:7; 247:11,23;248:2; 250:1,5;251:13; 253:22;255:21;256:11, 14;259:12;261:17; 265:15;268:17;272:17, 18;273:2;276:23; 277:5,7,10;278:5,18; 279:17;282:4;283:18; 284:18;287:4,11,13,18; 288:13,14,15;290:21, 23 candid (2) 27:4;101:15 candidly (1) 266:10 candle (2) 168:21;272:2 candles (3)
C				
cafeteria (1) 147:6 calculate (2) 152:18;206:13 calculation (3) 211:20;217:5,7 calendar (4) 287:24,24;290:18,23 calendars (2) 241:7;287:24 call (24) 18:21;40:17;63:10; 64:8;67:12;85:11,24; 87:1,20,25;104:8,8; 105:8;140:23;155:9; 161:3;198:10;199:22; 209:15;219:25;224:21; 239:10;291:1,3 called (4) 9:4;30:19;105:5; 149:2				

136:1,2;169:17 candor (1) 269:3 canopy (1) 124:17 Capital (2) 10:5;194:5 car (5) 51:10,13,15;276:20; 281:20 carbon (1) 105:21 card (2) 264:8,9 care (70) 5:7,8;31:8;37:8; 42:17;44:2,18;45:14, 17,18;46:1,17;52:12; 62:6,15,15,20;64:5,6,7; 66:19;67:11,12;70:6,9; 71:1,2,23;75:19;87:4,5, 17;103:12,13;110:4,4; 119:3;124:9,18,25; 126:23;127:5;129:24; 130:21;131:3,7,16,20; 148:23,23;153:9; 164:24;166:4,16; 167:3,13;175:4,19; 184:19,22;185:22; 186:3,5,7;205:15,18; 206:1;232:23;251:5; 281:11 cared (1) 249:2 career (2) 42:4;226:7 careful (5) 26:23;40:23;102:24; 260:18;277:18 carefully (6) 151:2;165:2;169:18; 170:3;198:15;206:3 Care's (1) 165:7 Carol (1) 54:1 carpool (1) 55:5 carpooling (1) 68:17 carried (1) 161:16 carry (2) 37:24;222:14 carrying (1) 196:11 Cars (3) 51:13,14;52:3 cart (1) 113:17 case (34) 5:17,24;9:2;10:15; 15:21;18:3;24:8;30:8;	31:2,22;34:5;35:22; 40:5;46:24;52:1;54:25; 56:20;70:8;76:7; 112:15;117:13,18; 149:9;156:15;164:9; 165:3;169:19;228:5; 229:13;231:8;240:3,3, 8;252:1 cases (6) 31:14;128:22; 149:19;180:9;188:17; 227:4 catch (3) 125:22;204:20; 205:16 cause (7) 168:1;170:9,17; 193:11;246:4;248:18; 250:20 cement (4) 249:12,13,18,21 center (7) 62:21;120:20; 123:18;126:21;232:25; 233:2;241:24 central (4) 229:24;230:21,23; 232:18 Century (1) 128:23 CEO (5) 41:19;56:23;57:25; 254:14;255:2 certain (9) 9:7;30:21;31:14; 48:1;53:7;65:16; 128:18;177:11;221:1 certainly (33) 8:7;18:24;23:6; 25:24;32:19;36:9; 38:13;39:17;59:5; 62:10;74:21;79:16; 80:15;83:5,6;138:6; 144:11;157:10;175:11, 22;183:21;200:6; 226:2;229:23;232:11; 235:3;237:19;238:16; 239:9;241:4;250:3; 287:18;288:12 certification (1) 165:24 cetera (2) 217:24;231:25 chain (1) 145:20 chair (2) 6:10;42:10 chairman (2) 6:25;7:1 challenge (2) 17:10;39:21 challenging (3) 17:8,9;68:16	chance (2) 147:5;290:4 chandelier (1) 136:25 change (8) 87:22;142:24; 148:22;149:6;160:15; 170:23;200:7;277:7 changed (3) 144:22;156:22;200:4 changes (2) 30:5;130:24 changing (3) 30:23;199:22;200:9 character (7) 55:23;170:1,23; 171:1;232:17;239:11; 248:9 characteristics (2) 61:7;193:10 charge (2) 52:11;64:17 charged (1) 64:17 chart (1) 217:3 chauffeur (1) 51:15 chauffeured (1) 51:12 check (10) 55:1;85:10;132:23; 133:3;139:20;246:16; 290:17,22;291:16,22 CHEN (351) 6:2,3,6,8;11:23,24; 12:4,13,17,22,24;13:6, 15;14:4,9,10,13,20,22, 25;15:23;16:1,3,25; 17:2,6,9,13;18:13;19:2, 4;20:11,13;21:10,14, 17;20:22,2;23:12;24:1, 5;25:19,20;26:1;28:1, 7,11,13;29:4;30:9; 31:7;32:20,22;33:3,5,8, 11,14,24;34:20;35:6; 36:16;37:3,4,24;38:23; 39:10;40:13;53:15,21; 56:1,22;59:1;73:6,8,10, 21,23;74:3,7,16;76:5; 78:13;79:25;80:1,5,7, 11,14,18,20;81:4,11, 12,13;82:4;83:19; 85:23;89:12,20,25; 90:6,18,20,24;91:2,9, 18,19;92:5;96:16; 97:10;98:20;99:10; 100:13,20,24;101:10, 14,24;102:4,9,12,14, 16,21;103:2,3,7,9,15, 17;105:23;108:1,9,12; 111:9,10,17,19,22; 112:9,11,20,25;114:1,	4,7,8;115:11,19,24; 116:3,6,9,11,13,16,23; 117:16,20;118:2; 119:21,23,25;121:10; 122:9;128:24;129:8; 137:6,9,17,20;141:9, 13,14;142:13,15; 143:17,19,24;144:8,20, 24;147:2;159:25; 160:4;165:11;168:3, 12,18,24;171:11,13,16; 174:9;177:5,7,18; 180:12;181:19;182:18, 20;185:5,8,24;186:15; 188:7;196:3,20;210:7; 214:18,22;215:1,14; 217:11,14;218:9; 221:15,16,20;223:10; 224:9,22,24;227:13,14, 18,21;228:2,6,9,15,18; 230:1,7,15;234:4; 236:17,23;237:2,4,13, 15;239:25;240:3,10,13, 16,19,22;243:21; 244:20,23,25;251:5,6, 7,9;255:16;256:2,3,15, 19,20;258:5,9,15,18, 23;259:1,4,9,12,14,23, 25;260:7,13,17,20,21; 261:16,20,22;262:3,4; 264:11,25;265:3,6,7; 266:1,7,22;267:1,3,6, 269:12,16,19,23; 270:12,18;271:25; 272:9,13,16;273:1,4, 19;274:7,11;275:7,15, 16;276:19,22;277:3,12, 13;278:23;282:21,24; 284:4,20;285:24; 286:1,22,24,25;287:15; 288:5,14,18,19,22; 289:6,12,15,23,25; 290:3,6,12,25;291:20; 292:4,7,10,23 Chief (1) 59:5 child (1) 7:23 children (3) 44:24;52:2;63:4 chill (1) 235:8 chiller (8) 174:6,7;234:22,24, 25;235:5,6;276:16 chillers (3) 143:5;173:21,24 chills (1) 235:13 chimney (1) 231:4 choice (2) 32:3;66:2	choir (1) 52:23 choose (2) 64:2;89:1 chorale (1) 52:23 chose (6) 32:4,5;37:22;44:14, 16;169:8 chosen (1) 231:7 circle (1) 163:8 circulation (1) 193:13 circumstances (3) 39:14;69:4;176:10 cite (3) 34:11;36:20,21 citing (1) 36:17 Citizens (6) 7:7,10,11;8:9,15; 52:16 civil (4) 242:2;265:15; 282:13;285:3 clarification (4) 14:11;109:9;111:5; 193:1 clarify (2) 188:4;197:23 clarity (2) 92:8;214:18 class (1) 49:11 clean (1) 92:25 cleaning (1) 106:19 clear (15) 58:11;76:20;79:19; 95:24;105:24;110:12; 160:13;215:2;216:9; 223:13;260:14,16; 271:5;285:19;286:9 cleared (1) 15:7 Clearly (4) 37:19;199:20; 218:13;261:16 client (16) 5:25;16:20;17:15,15, 19;18:10;62:19,24,25; 63:21;76:10;102:20; 259:20;267:12;268:2; 270:14 clients (18) 13:20,23;16:10,12; 19:10;20:1,16,20,23; 36:12;74:8;101:23; 102:4;233:19;271:7; 272:17;289:17,18
---	---	---	--	---

<p>clients' (5) 19:9,12;27:1;79:7,9</p> <p>client's (14) 76:6,11;91:23;222:9; 262:10,24;263:8,9,15, 22;265:9;266:4;268:4; 272:4</p> <p>climate (1) 174:21</p> <p>climb (1) 65:21</p> <p>Clinton (2) 229:11,11</p> <p>clock (3) 45:21;86:16;91:12</p> <p>close (13) 17:17;47:1;55:8; 130:11,23;134:22; 177:22;185:19;196:25; 223:22;238:24;266:12; 278:8</p> <p>closed (1) 92:25</p> <p>closely (3) 141:8;151:13;158:19</p> <p>closer (6) 131:13;145:19; 194:17;195:3;196:24; 233:21</p> <p>closest (14) 127:6;141:18;145:4; 154:21;166:25;185:14; 210:20;223:14;238:24; 263:9,15,25;265:9; 282:23</p> <p>closing (1) 40:10</p> <p>Club (20) 5:10;26:8,17;31:2, 15;37:7;47:20,20,20; 52:22;77:1;124:14; 126:23;148:15;182:3; 212:16;213:12,12,18; 237:21</p> <p>club's (1) 124:14</p> <p>Coalition (4) 6:19,24;10:13;54:12</p> <p>cochere (1) 232:12</p> <p>Code (19) 9:7,8;34:11;38:5,9, 22,25,25;39:2;130:1; 135:4,6;136:1;157:23; 177:12;191:11,20; 193:16,18</p> <p>codified (1) 31:20</p> <p>coincide (1) 106:11</p> <p>cold (2) 174:8;235:7</p> <p>collect (1)</p>	<p>253:11</p> <p>collected (1) 50:15</p> <p>collecting (2) 253:10,15</p> <p>collection (1) 253:22</p> <p>collects (1) 145:5</p> <p>color (4) 178:8;271:1,1,2</p> <p>Columbia (5) 226:6;227:2,19,24; 228:24</p> <p>combination (2) 8:19;170:22</p> <p>combines (1) 62:15</p> <p>comfortable (2) 96:21;269:24</p> <p>Coming (22) 17:25;29:7,21;35:19; 37:7,23;68:13,13,19; 82:10;85:18;101:18; 109:10,11;131:15; 138:9;173:5;266:18, 20;271:6;272:1;275:23</p> <p>comment (11) 16:5;20:3;25:25; 26:19;31:24;34:24,25, 25;35:3;37:14;208:1</p> <p>commenting (1) 7:15</p> <p>comments (2) 9:24;292:7</p> <p>commercial (6) 100:5,5;101:19; 103:19;105:1;226:8</p> <p>Commission (2) 10:6;194:5</p> <p>commitments (1) 254:24</p> <p>committing (1) 254:21</p> <p>common (2) 12:8;76:17</p> <p>communities (23) 42:6,7;43:7,10;44:3, 17,22;45:25;46:22; 47:18,24;50:24;54:18, 20;58:7;61:22;63:24, 24;64:24;65:5;86:6; 112:1;211:12</p> <p>community (68) 8:7;44:13,22,23,25; 45:18,24;46:2,13,14, 16,23,23;47:16,17,22; 48:1,2,5,11;51:2,7,18; 52:10,18,19,25;53:3; 54:19,23;57:8,9;58:8; 61:3,5;62:7,8,10,10,11; 63:3,23;65:2;71:14; 72:12;75:19;76:23,25;</p>	<p>85:9;87:10;89:4;96:15; 100:6;102:20;135:13, 14,18;148:8;170:24; 215:11;233:16,24; 249:4;251:18;262:11; 278:10,13,16</p> <p>companies (4) 50:22;59:19;85:9,10</p> <p>Company (21) 42:15;45:9;57:25; 58:5,7,9,12;59:7,21,22, 24,25;60:17,19,19; 61:2,4,8;85:4,5;251:15</p> <p>comparable (1) 222:12</p> <p>compare (4) 151:25;212:19; 213:19;214:7</p> <p>compares (1) 26:20</p> <p>comparison (6) 28:16;29:7;188:1; 214:9;215:18;285:7</p> <p>compatibility (30) 28:6,17,18;29:4,9, 16;129:5,7;149:14,21; 151:23;157:9,23; 166:20,23;168:15; 211:4,14;212:9,10,11; 213:23,23;214:11,16; 215:10;218:22;238:12; 241:1;261:22</p> <p>compatible (17) 28:18;31:4,15;149:9, 21;157:12,14;171:6; 211:5,9,15;212:14; 213:5;214:3,14; 238:15;248:8</p> <p>complementary (1) 45:17</p> <p>complete (4) 66:2;241:8;271:16; 290:16</p> <p>completely (2) 32:9;37:10</p> <p>compliance (3) 24:25;228:15;261:24</p> <p>complicated (1) 145:11</p> <p>complied (1) 10:23</p> <p>complies (2) 167:21;168:20</p> <p>comply (1) 167:11</p> <p>composition (1) 249:6</p> <p>computation (1) 19:1</p> <p>computer (2) 291:16,22</p> <p>conceivable (1) 273:7</p>	<p>concentrated (1) 135:20</p> <p>concentration (2) 149:6;212:12</p> <p>concept (3) 22:5;25:22;229:21</p> <p>concern (7) 21:21;22:24;47:14; 157:3;240:4,16;266:10</p> <p>concerned (7) 22:16,20;23:15; 29:10;31:19;57:2; 272:1</p> <p>concerns (4) 19:9,13;54:11; 156:25</p> <p>concert (1) 198:12</p> <p>concierge (2) 50:1;86:21</p> <p>conclude (3) 16:6;22:14;164:17</p> <p>concluded (1) 293:1</p> <p>conclusions (3) 21:2;119:9;249:25</p> <p>concrete (1) 270:25</p> <p>Condensers (1) 276:16</p> <p>condition (11) 38:1,2,7,10,18,19; 39:16;145:18;184:3; 189:3;264:15</p> <p>Conditional (69) 5:4,5;9:2,6,15,16; 26:21;27:2,5;30:19; 31:18;32:4;33:20,24, 25;34:4,19;35:10; 37:18;38:12;39:8,15, 19,23;55:23;90:17; 117:13;119:2,3; 126:11;130:4;149:1,5, 6,23;150:2,4,6;157:25; 159:19;167:11,13,15, 17,18,19;168:1;170:1, 9,17,21;171:5;172:2; 173:4;181:6,22; 189:15;191:23;196:4; 199:2;213:7;223:8; 229:17;234:6;240:1; 248:7,18;250:20; 292:15</p> <p>conditioning (2) 235:10,14</p> <p>conditions (14) 9:7;30:21;38:8; 39:24;55:10,18;134:4; 139:13,15;161:5; 162:23;212:7;214:16; 264:16</p> <p>condos (1) 211:13</p>	<p>conducted (1) 5:14</p> <p>configurations (1) 138:8</p> <p>confirm (1) 182:8</p> <p>conflict (1) 38:9</p> <p>conflicts (1) 39:2</p> <p>conformance (1) 148:16</p> <p>conforms (1) 191:10</p> <p>confronting (2) 170:11;248:20</p> <p>confused (3) 142:17;162:7;172:20</p> <p>confusion (1) 15:7</p> <p>conjunction (3) 181:5,7;193:13</p> <p>Connecticut (3) 43:15;208:24;209:8</p> <p>connectors (1) 158:16</p> <p>conscious (1) 231:14</p> <p>consent (1) 8:8</p> <p>conservation (14) 124:25;132:6,14; 133:1,11;134:1,3,5,13, 24;178:10;180:23; 181:7;205:17</p> <p>Conshohocken (4) 227:1;228:12,13,14</p> <p>consider (7) 30:3;57:14;102:18; 214:10;240:8;241:2,3</p> <p>considerable (1) 80:23</p> <p>considered (7) 15:9;47:6;50:19; 65:8;69:22;83:11; 206:24</p> <p>considering (2) 30:6;248:9</p> <p>consist (3) 92:18;176:25;267:11</p> <p>consistent (3) 25:14;231:22;280:9</p> <p>consisting (1) 5:7</p> <p>consists (1) 205:25</p> <p>constant (1) 221:11</p> <p>constantly (2) 162:5;257:8</p> <p>constitutes (2) 5:9;176:24</p> <p>constraints (5)</p>
--	--	---	--	--

175:4,6,11,14;178:1 constructed (1) 214:5 construction (3) 42:17;43:11;61:23 consultant (1) 20:6 consultants (2) 16:9;18:24 Consulting (1) 42:14 contact (1) 16:9 contacting (1) 289:15 contacts (1) 88:5 contain (1) 151:22 contained (1) 14:17 context (5) 27:16;29:2,3;30:7; 31:16 continue (7) 44:5;64:11;77:17,25; 148:3;239:12;270:6 contour (3) 152:9;202:13,16 contours (1) 230:25 contract (3) 37:22;85:4;88:11 contracted (2) 89:8;251:15 contradicting (1) 255:3 contrary (1) 269:18 contrast (1) 285:4 contributes (1) 176:11 contributions (1) 59:3 control (3) 22:5;25:22;174:21 controlled (1) 257:14 controls (2) 170:14;218:19 Conversation (2) 133:21;208:2 conversations (1) 235:19 convey (1) 161:6 conveying (1) 161:18 Conway (2) 7:22,22 cooking (1) 47:20	coordinate (1) 238:8 coordinated (1) 285:19 copies (5) 9:25;15:4;25:13; 122:6;236:14 copper (1) 231:6 copy (12) 14:2,5;53:11;72:5; 120:1;133:8,9,10; 143:21,22;165:5;237:9 cords (1) 40:23 corner (14) 130:14;134:16; 136:17;138:25;153:12; 176:6;178:2;183:19; 196:13;222:9,24; 241:23;242:24;263:22 corners (1) 31:12 corporate (2) 41:20;59:6 corporation (2) 58:15;60:16 corrected (2) 156:22;162:6 corrections (1) 198:3 correctly (3) 136:8;195:25;218:7 cost (4) 63:20,22;65:4,4 costs (4) 48:1;62:10,11;63:23 Council (4) 25:12;226:14; 288:23,24 counsel (9) 6:3;17:22;24:11,20; 37:17;53:11;72:4; 162:13;187:4 count (2) 148:22;261:2 counted (1) 148:24 counting (1) 215:21 counts (1) 261:13 County (11) 7:6,8;20:8;30:24; 52:15;119:5;165:19; 176:1;182:9;225:16; 288:22 couple (13) 16:14;20:24;63:5; 65:20;66:19;70:20; 173:8,10;208:23,25; 210:3;249:12;262:6 course (43)	22:13,18;46:17;51:4; 52:12;107:9,10,10,11; 109:16;115:20;117:14; 120:15;124:15,18; 125:23;127:4;128:14; 129:19;141:7;148:6; 151:9;157:11;164:11, 23;167:3;193:3;204:3; 205:7;208:20;210:9, 10,14,15,17,21;211:7, 9,10;237:22;240:10, 10;262:1 courses (1) 211:12 court (15) 8:23;26:25;27:3,5,8; 28:4;29:6,12;31:5,13; 125:24;179:9;215:12; 288:7,9 courtroom (2) 8:21;9:1 courts (11) 9:11;31:9;33:2; 120:16,19;123:16; 124:6;179:14;184:23, 25;186:1 courtyard (9) 131:19,21,21,23,23; 137:1;173:15;232:22; 233:3 courtyards (2) 135:13,22 cover (3) 13:3;149:15;233:25 coverage (4) 206:10;207:2,6,9 covered (2) 159:6;209:17 crease (1) 192:24 create (2) 168:10;247:23 created (7) 44:20;127:21;131:7; 138:15;175:19,21; 242:9 creating (1) 212:10 credentials (1) 117:23 crew (2) 20:13;291:5 crews (1) 289:25 criteria (2) 66:7;213:19 cross (1) 40:23 cross- (3) 25:2;91:2;276:25 crossed (1) 144:23 cross-examination (10)	8:22;57:20;73:9; 91:8,18;171:14,15; 188:12;251:8;279:1 cross-examine (3) 102:25;103:2;256:12 cross-section (3) 18:1,12;241:10 crowd (1) 40:19 CU (2) 118:19;229:18 cupola (1) 231:5 curb (1) 179:3 curiosity (1) 208:23 current (19) 7:6;28:24;29:1;32:3, 6;38:11;179:8;182:2; 183:16;189:4;198:9; 206:11;207:12;214:7, 12;218:14,15,15;280:8 currently (12) 43:7,9;77:1;125:21; 129:23;140:4,5; 189:16;206:11,15; 222:13;254:18 Curtis (1) 6:13 customized (1) 64:22 cut (5) 31:12;61:16;136:5; 221:22;222:5 cutting (2) 241:23;266:11	17:18;24:16;45:23, 24;48:24;49:6,13,14; 63:17,19;64:19;65:6,7; 67:19,20;68:1,13;85:1; 106:19,23,24;107:9,10, 14;108:17;109:1,7,12, 17;165:23;238:11; 240:5;241:7;268:5; 283:19;288:25;290:24 days (8) 48:8;67:22;107:11, 15,15;188:5;290:10,21 days' (1) 66:3 daytime (1) 67:15 DC (1) 228:2 deal (17) 8:17;16:5,10,11,14, 17;22:13;23:5;138:23; 151:11,23;158:19; 166:20,21,23;169:10; 221:25 dealing (3) 36:8;157:22;193:15 deals (1) 16:19 dealt (2) 166:15;253:16 dear (1) 15:20 death (1) 74:20 deaths (2) 74:17,19 December (8) 288:20,21;291:12; 292:2,2,4,15,17 decide (7) 9:8;55:5;56:19,20; 57:3;63:5;191:13 decided (2) 45:6;261:23 deciduous (8) 177:11,14;178:1,8; 270:8,20,22;286:12 decision (6) 5:17;26:11,11,14; 175:8;221:25 decisions (2) 26:8;63:16 decorative (2) 205:8;281:18 decrease (3) 28:24;149:9,19 decreased (1) 158:4 decreasing (1) 145:15 deemed (1) 44:6 defect (1)
		D		
		daily (1) 50:14 dancing (1) 64:24 dark (2) 68:24;283:13 dash (1) 126:22 data (2) 86:4,8 date (9) 13:1;14:15;20:1; 165:21,25;186:17; 287:3;288:4;291:9 dated (1) 165:21 dates (2) 288:15;292:11 daughter (1) 63:10 Davis (3) 53:19,19,25 day (37)		

29:11 defend (1) 76:15 defer (1) 174:18 deferring (1) 36:10 deficit (2) 148:21,25 define (2) 126:10;271:22 defined (3) 127:2,3,15 defining (1) 127:11 definitely (1) 277:3 definition (3) 32:15;93:10;207:2 degradation (1) 149:16 degree (2) 41:24;63:2 degrees (3) 42:3;163:24,25 Delaware (1) 43:16 delay (2) 291:9,10 delineated (1) 194:12 Delineation (1) 119:12 Deliver (1) 50:4 delivered (3) 50:2;82:16;94:14 deliveries (18) 49:21,22,23;69:8,10; 81:19,20;82:9,10,13, 15,19;89:16,16,22; 90:3,7,93:23 delivering (5) 82:22;83:20,21;95:8, 10 delivery (8) 49:25;50:2;74:9; 82:21;83:2;84:6,11; 197:20 deluxe (2) 64:2,21 demand (1) 72:13 dementia (6) 62:7,9;64:14,15; 86:10,13 Democracy (1) 127:6 demographics (1) 45:4 demonstrate (2) 10:23;20:22 denied (2)	12:13;39:24 density (2) 171:25;217:3 Department (11) 14:16;44:4;49:8; 67:6,7,8,9,14;119:5; 158:16;159:8 departure (1) 255:6 depend (2) 68:18;191:17 dependent (2) 64:1;269:7 depending (3) 82:22;100:15;183:24 depends (12) 51:2;64:6;66:15; 68:11;69:20;70:13; 83:2;87:5;107:6; 109:20;274:21;277:7 depict (3) 13:17;17:11;20:4 depicted (1) 286:18 depiction (1) 13:22 depictions (1) 161:5 depositing (1) 218:16 derive (1) 168:20 describe (4) 46:10;83:5,6;237:17 described (9) 26:4;77:22;93:23,24; 94:5;96:1;178:5; 238:25;249:3 description (3) 126:8;127:20;132:23 descriptions (1) 132:19 design (29) 42:16;43:12;57:8; 94:7;129:4,12;150:18; 151:24;161:14,16,20; 166:23;170:4;191:12; 210:25;212:10;229:21; 235:2;238:15;246:20; 248:10,12;254:16,17; 255:5;267:9;273:10; 278:12;283:10 designed (22) 47:5;56:12;93:2; 169:2;170:3;172:6,23; 175:1;230:25;231:2; 232:15;234:23;239:10; 245:10;246:6;248:24; 257:11;272:5;276:11; 278:19;282:3;283:11 designer (1) 160:16 designing (3)	161:8,12,17 desirability (1) 51:3 desirable (3) 140:13;240:9;241:2 desk (1) 86:21 destination (1) 99:3 detached (2) 29:14;277:15 detail (5) 103:5;140:25;141:1; 199:2,14 detailed (3) 128:17;135:11;144:5 detailing (2) 231:5;247:24 details (2) 149:21;203:24 determination (2) 35:20;36:11 determine (5) 28:25;68:21;182:6; 191:18;217:20 determined (8) 193:23;194:1; 233:17;235:23;241:15; 274:22;281:17,21 determines (2) 44:5;193:14 determining (1) 168:14 deterrent (1) 45:15 detrimental (2) 251:18;252:14 develop (1) 25:23 developed (1) 217:4 development (15) 34:13;35:11;43:11, 12;52:8;117:15; 167:16,20;170:10,24; 172:2;180:9;207:8; 211:11;248:19 device (1) 51:20 devices (1) 268:13 devoted (1) 114:13 diagram (8) 120:7,8;123:1;146:4; 274:9;279:11;282:8,9 diagrammatic (1) 262:18 dictated (1) 263:7 die (1) 73:12 died (1)	73:11 differ (1) 199:2 difference (9) 20:16;21:10;100:11, 19,21;102:1;108:11; 215:17;271:8 differences (2) 213:6;215:20 different (30) 19:23;23:13;24:2; 28:20;32:10;35:18; 37:18,20;45:16;49:2,3; 57:10;61:21;64:5; 69:21;86:5;109:11,16; 130:8;142:22;175:12; 177:12,15;178:8; 204:23;211:15,16; 247:6;249:13,20 differential (1) 213:9 differentiate (1) 231:12 difficult (1) 239:23 difficulty (1) 228:18 digest (1) 241:4 dimension (1) 282:18 dimensions (1) 92:22 dining (5) 49:9;66:17;106:23; 131:25;232:18 dinner (6) 49:10,16,17;66:16; 67:11;106:22 dire (1) 117:22 DIRECT (5) 41:15;102:17; 103:10;117:7;225:11 directed (5) 13:23;138:6;160:6; 255:5;289:18 direction (8) 122:22;142:21; 160:24;161:1;183:25; 184:1;198:13;260:9 directional (3) 9:20;143:24;163:21 directly (13) 18:11;124:9;125:22; 126:24;129:20;130:11; 131:15;138:18;139:1, 6;151:21;154:6,22 disagree (1) 279:17 disagreement (1) 19:10 discharge (2)	176:3;178:11 discharging (2) 32:23,25 discreet (1) 74:23 discuss (1) 127:19 discussed (13) 148:10;149:10; 233:10;234:1,14; 238:18;239:9;246:9, 19;247:16,21;248:14; 253:12 discusses (1) 71:19 discussing (3) 73:2;243:7;276:17 discussion (5) 50:9;51:9;91:14; 224:17;291:25 disingenuous (1) 18:15 dismiss (2) 16:16;287:13 dismissed (2) 27:19;29:25 dismissing (1) 30:5 disposition (3) 12:6;26:2;35:24 dispute (3) 26:5;28:4;267:8 dissect (1) 241:4 dissolved (1) 183:6 distance (22) 13:13,17;17:3,8; 18:6;20:4;130:19; 166:25;196:20;201:18; 205:16;216:7;241:16; 242:15,17;263:14,25; 265:8,23,24;266:12; 282:5 distances (4) 13:18;21:12;266:16; 282:10 distinction (1) 24:22 District (5) 226:6;227:2,19,24; 228:24 disturbing (1) 132:5 divide (1) 217:20 dock (12) 50:5;70:3;78:10,11; 83:22;89:14,21;90:3; 192:20,21;195:1,5 doctor (2) 52:5;87:11 doctor's (1)
--	---	---	---	---

51:16 document (14) 13:20;15:18,19,24; 16:4,5,10,13;17:11; 19:20;20:15;24:1;34:5; 237:13 documents (7) 10:2;21:11,22;23:13; 24:3,4;268:21 done (9) 72:12;90:24;115:11; 141:8;142:25;188:7; 202:14;221:21;226:21 door (51) 45:14;46:18;49:25; 70:9,12,13;74:10;75:3; 81:16,18,23;82:3,18; 84:9;89:9,9,10;94:14; 192:23;195:12,15,17, 20;196:2,9;197:11; 203:14;219:5,7; 229:25;230:18;231:9; 232:13;245:4,8; 246:16,22,25;247:3,12, 18;254:10,18;255:4; 272:24;273:11;281:15, 23;282:2,3;288:3 doors (9) 81:22;86:25;192:23, 24;195:16;197:17; 246:7;280:20,22 dormers (1) 207:18 double (3) 192:23,24;246:16 doubt (1) 31:3 down (65) 8:23;14:24;18:11; 49:15,18,19;63:7,12; 68:15;69:4;74:11;76:8, 9,13;83:3;97:24;98:7, 11,23;99:6;107:2,4; 109:7,10;123:20; 124:8;129:23;130:12, 13,23,24;131:16; 132:4;136:7,12;138:9; 145:6,20;151:10,16; 152:22;153:23;158:13; 173:12,14;178:17; 190:3,5,8,23,23; 195:11;216:17,20; 218:4;221:22;222:5,8, 24;236:1;239:15; 242:18;245:25;266:11; 279:23 downstairs (1) 94:13 DPA (1) 117:18 DPS (4) 38:6,7,16,18 Dr (7)	6:3,8;23:14;47:2; 52:13;53:25;75:9 drafted (1) 37:22 drafting (1) 209:10 drain (4) 179:16;180:10,15; 183:11 drainage (9) 131:3,6;176:15; 183:8;222:20,20,21; 223:5,6 draining (1) 145:5 drains (1) 125:21 draw (1) 235:7 drawing (7) 126:21;153:15; 161:13,13;236:7; 263:12;282:6 drawings (1) 161:4 draws (1) 235:7 dressed (1) 64:12 drive (68) 51:23,24;52:1,6; 75:2,3;82:11,12,13; 90:8;92:2;93:6,7,10,16, 20;94:23;95:11,14,25; 96:4,7;97:3,15,25; 98:9;99:6,9;100:17; 104:14;111:13;112:17; 123:16,19;124:8; 127:7;129:23;130:11; 137:3,23;138:7,10; 141:21;145:3,24; 151:4;159:2;173:3,5,6; 176:19,25;179:3,6; 183:10;190:16;196:12, 12;216:8;222:8,22; 223:1;224:5;232:12; 273:12;278:1,3;281:25 driven (1) 52:5 driver (1) 67:13 driveway (10) 77:15,17,23,25;79:7; 143:8;144:1;145:6; 183:21;189:20 driving (1) 112:23 drop (1) 239:22 drop-off (1) 246:22 dropped (1) 238:3	drops (1) 152:22 dryer (1) 100:6 ducks (1) 291:11 due (7) 76:6;79:13,13,15; 255:11;288:9,11 dumpster (8) 251:20,21;252:17; 253:23,23;254:1,4,7 dumpsters (4) 92:24;93:3;252:1,19 Duncan (1) 7:24 duplicate (2) 143:21;200:12 durable (2) 248:25;249:13 duration (1) 195:11 during (21) 22:13,18;25:23; 49:12,14,19;51:8,8; 67:21;84:10;86:22; 107:9;108:17,19; 109:12,16;115:19; 130:1;136:13;148:19; 214:23 dust (6) 250:21;252:20,20, 22,24;253:2 duty (1) 87:19 dwelling (1) 171:24 dwellings (1) 227:22	12,13;195:6;222:22; 257:21;258:5,6,8,10, 22,23;259:2,11 eastern (9) 96:13,14;129:20; 135:18;151:8;173:7,9; 176:7;204:18 easy (3) 19:1;147:8;246:23 eat (2) 147:5,6 eating (3) 45:3;63:12;232:20 eats (2) 63:16,16 echoes (1) 22:16 ecological (1) 180:19 economic (1) 47:25 economically (3) 48:4;62:5,12 edge (2) 155:11;231:6 education (1) 229:8 educational (2) 41:22;226:1 effect (1) 137:11 effective (3) 165:21;206:1;239:14 effectively (2) 243:3,8 effectiveness (1) 221:22 efficient (2) 105:10,19 effort (1) 57:10 egress (1) 245:8 eight (14) 68:12;69:20;109:5,6; 139:19;144:3,6,13,18, 18;216:21;223:15,18; 269:21 eight-foot (1) 250:17 either (13) 12:6;19:16;27:19; 29:25;45:19;65:11; 70:10;99:3;235:4; 246:16;247:15;278:5; 291:13 elbow (1) 232:17 elderly (2) 71:19,23 electric (1) 158:6 electrical (1)	105:18 electronic (1) 9:25 elements (3) 129:13;156:23;169:9 elevation (45) 14:14,17;145:23; 151:19,20,25;152:1,3, 13,15,20;153:17,19; 156:23;172:18;175:12; 182:5,8;190:21; 200:22,24;202:8; 209:21;211:19;235:18, 19;244:12;245:3,7; 247:6,17;255:12,23,24; 256:6,9;257:17,24; 271:8;280:10,11; 281:7,10,11,12 elevations (14) 171:19;229:20; 231:19;239:18,18; 244:13,18;247:20; 254:18;255:10;257:11; 260:25;261:3;281:18 elevator (1) 74:10 eliminate (1) 268:8 eliminated (1) 38:19 else (15) 7:17;11:4;13:21; 40:11;57:13;97:1; 108:22;114:24;163:13, 24;179:4;209:10; 257:3,4;279:18 email (3) 9:18;116:18;237:8 emailed (1) 162:13 emails (2) 38:14;116:19 emerald (1) 178:2 emerge (1) 261:12 emergency (6) 85:9;158:11;245:5; 260:23;261:5;274:25 emergent (1) 85:4 employed (2) 48:15,19 employee (9) 69:4;98:23;99:6; 107:14;111:11;112:22, 23,23;114:18 employees (43) 48:13,22;54:13,16, 19,24;55:2;66:12,14; 67:17;68:11,16,22; 95:3,4,13;96:6,23;97:4, 11,14;98:12;99:8;
--	---	--	---	--

106:1,5,7,8;107:9,11, 12;108:14;109:16; 110:5,14;113:21,22,23, 25;114:5,6,6,13;170:19	enhancement (1) 283:21	equilateral (1) 160:25	32:2,11;45:19,20; 164:14;183:4;200:5; 274:25	9:4,5;26:7,12,13,17, 22;27:3,9,10,13;28:5, 17;29:13,18;32:4,6,9; 33:11;36:4;37:12; 38:12;39:7,13,16; 149:2;164:25;165:8; 166:1,3;175:5,9,19; 179:8;182:2;183:17; 189:4;215:5
employees' (1) 105:25	enhances (1) 171:2	equipment (24) 99:23;101:4,5,7,19; 103:18,19,24,25; 104:24;105:2;113:15; 174:5,11,13,14,17; 233:25;273:15;275:18; 276:1,4,9,10	evergreen (5) 139:11,13;177:11; 178:5,7	exceptions (5) 30:18;164:21;206:8; 212:12;213:7
employment (1) 106:4	enjoy (1) 43:20	errant (1) 204:20	evergreens (3) 79:5;177:15;178:4	exchange (2) 9:19;42:14
empty (1) 253:23	enjoyment (2) 170:10;248:19	Escapades (1) 67:12	everybody (8) 16:23;40:22;91:16; 106:10,19;169:13; 251:19;292:18	excluding (1) 8:2
enclosed (4) 144:2;174:19,21; 273:23	enough (4) 47:16,22;142:18; 204:4	Especially (1) 105:8	everybody's (1) 146:24	Exclusively (2) 82:5;89:16
enclosure (19) 92:13,19,24;141:22; 143:9;144:1;179:6; 234:13;250:1,7,16,18; 251:10,12,25,25; 252:21;253:5;282:5	enter (5) 38:17;61:5;81:16; 85:9;94:15	estate (3) 128:23;131:22; 150:19	everyone (1) 122:7	excuse (11) 21:21;28:13;36:7; 76:5;86:1,10;103:24; 141:9;173:22;185:2; 223:14
encourage (1) 86:22	entered (1) 13:3	establish (5) 5:7;42:21,24;80:18; 215:17	Evidence (6) 8:22;25:25;30:4,6; 56:8,21	exercised (1) 275:4
encroached (1) 179:9	enters (1) 102:2	established (3) 33:6;116:19;139:24	Ex (1) 82:15	exhausts (1) 40:1
encroaching (1) 181:11	entire (5) 26:6;130:5;172:9; 205:7;250:18	establishing (1) 44:2	exact (3) 99:12,15;115:8	exhibit (128) 9:21;10:25;11:2,19; 12:18;13:9,19;14:7; 15:15,20;16:1;21:11; 23:4,8;26:8,14;33:20, 21;34:2;53:12,13,23; 54:2,4,6;75:17,18,22, 25;76:1;78:18,24; 119:11;120:18,22; 122:4,10,14,15,18,20; 123:3;125:3,3,6,16; 126:14,15,16,17; 127:23;132:19,22; 133:22,24,24;134:2,7; 140:10,14,21,22,25; 141:1,3;149:24; 154:16,16;162:17; 165:11,25;166:5; 177:5;182:19,21; 185:9;186:16;187:1,5, 13;188:14;196:3,5; 198:1;200:6;208:4; 209:19;220:6;223:7; 227:7;230:1;234:4,5; 236:23,25;240:16,20; 241:13;242:21;243:14; 244:14;247:4;255:13; 256:10;264:4,12,13; 265:3;266:9,14;274:9; 279:25;280:1,23; 284:3,7,7,16,18,21; 285:1;286:3,10,18; 287:1;289:16,18;291:6
encroachment (1) 180:7	entirely (1) 237:25	estates (1) 129:17	exactly (24) 15:19;38:15;53:4; 70:15;98:10;100:11; 107:21;139:20;175:2; 196:17;197:16;199:1; 200:10;202:6;205:3,3; 215:9;226:23;235:5, 12;243:18;253:4; 262:3,14	exhibits (7) 12:19;15:5;76:13; 115:20;163:3;244:13;
encroachments (1) 180:20	entirety (1) 71:23	estate (3) 128:23;131:22; 150:19	exam (1) 87:9	
end (17) 6:11;98:7;106:24; 130:23;135:2;141:17; 145:3;152:21;153:8; 157:18;158:14;174:5; 205:9;224:8;278:7,10; 283:19	entitled (2) 35:9;270:14	estimated (1) 216:10	examination (11) 25:3;41:15;91:3; 117:7;214:13;216:4; 221:19;225:11;277:1; 283:4;285:25	
Endodontics (1) 53:20	entity (1) 11:16	et (2) 217:24;231:25	examine (2) 110:16;189:6	
ends (4) 77:24;135:21; 153:10,11	entrance (18) 74:24;81:19;95:5; 97:21;98:21;131:14; 153:21;172:16;173:6; 190:9;191:4;192:16, 22;197:18;246:13,14, 15;254:21	evaluate (1) 9:12	examined (1) 124:3	
enforce (2) 38:16;180:3	entrances (1) 246:13	evaluated (1) 213:24	Examiner (29) 5:16,20;6:2,22;7:19; 11:24;16:8;18:5;19:16; 20:8;30:20;35:11,21; 53:15;57:14;92:3; 100:15;112:20;116:1; 117:16;143:17;144:9; 195:24;196:3,20; 260:13;262:5;289:13; 290:20	
enforceable (3) 38:6,10,21	entries (1) 246:7	evaluating (1) 30:7	example (5) 26:20;54:20;64:12; 94:10;213:9	
enforcement (1) 180:4	entry (20) 135:14;152:20,24; 153:1;192:9;196:21, 22,23;203:14;230:21; 231:13;232:11,13,14; 245:8;246:7,12; 247:15;254:22;256:25	evaluation (6) 27:14,21,24,25;57:4; 171:21	exceed (1) 44:5	
engaged (1) 225:23	environment (2) 70:7;86:14	evaluative (1) 27:16	Except (1) 162:24	
engagement (1) 63:18	Environmental (9) 22:4;149:14;158:20; 175:25;176:1;179:20; 194:1,3,4	even (15) 8:6;19:25;23:3; 56:23;71:1;82:17;84:7; 98:15,15;180:1; 220:13;269:8;271:9, 11,14	excepting (1) 168:18	
engineer (15) 18:22,23;19:5;23:6; 79:1;99:13;126:3; 145:7;176:14;218:13, 18;242:2;265:15; 282:17;285:20	environmentally (1) 105:16	event (8)	exception (38)	
Engineering (2) 23:4;191:18	environments (1) 128:18			
engineers (3) 92:21;96:19;176:5	equally (1) 222:25			
English (2) 231:2;277:16	equals (2) 195:7;196:5			

<p>284:9 exist (6) 30:17;44:17,18; 189:13;214:4;268:9 existed (1) 175:23 existence (2) 26:7;31:13 existing (64) 26:21,25;27:7;28:4; 29:17,23;31:2,9;32:13; 33:1;34:7;36:4;37:7; 38:9,12,19;39:6,12,15; 57:9;120:15,18;121:1, 8;122:11;129:22,24; 130:10,13;145:18; 148:14;151:12;161:5; 162:22;164:10;170:22; 171:3;179:11;181:22; 183:21,23;184:2,3; 186:23;189:9;204:18; 205:18;213:12,18; 215:5;218:11,15; 219:3;222:19;223:5; 237:22;238:4;243:4; 244:1;264:15,16; 265:23;267:18;285:5 exists (7) 38:22;39:8;130:8,9; 215:12;222:13;243:14 exit (2) 158:15;254:22 exits (1) 246:7 expand (1) 130:7 expands (1) 216:21 expansion (1) 32:14 expect (5) 49:22;105:11;162:4; 283:13,15 experience (9) 15:11;42:16;50:23; 52:4;85:16,16;226:15; 229:8;283:7 expert (23) 18:21;42:19,25,25; 55:21;56:14;117:9,21, 25;118:13,14;128:25; 167:9;171:4;225:14; 226:23,25;227:8,15,17; 228:3;229:7,9 expertise (3) 118:4;137:11;168:4 experts (5) 56:9,16;79:16;96:19; 112:5 explain (18) 8:18;12:10;51:10; 53:3;105:14;106:13; 140:4;159:20;160:14;</p>	<p>162:14,17;163:4; 176:23;204:16;211:8; 226:22;273:3;284:18 explained (1) 283:19 explanation (1) 105:25 expository (1) 160:23 Express (1) 49:24 expressed (3) 181:5;251:17;252:13 extended (11) 13:10;14:12;17:1; 21:12;103:14;154:16; 182:15;197:4;209:24; 262:7;264:6 extending (1) 134:17 extends (1) 233:7 extension (1) 154:21 extensive (3) 43:8;85:14;96:10 extensively (1) 44:21 extent (7) 102:19;103:5;194:2; 214:8;268:8;276:10; 282:19 Exterior (11) 104:21;131:19; 172:14,17,23;174:17; 257:7;260:23,24; 268:19;272:10 external (1) 249:7 extinguished (1) 38:3 extinguishing (1) 32:5 extra (1) 236:12 extreme (3) 139:3;250:10,12</p>	<p>42:17,22;70:25; 73:13;113:17;128:19; 158:3;183:9 facility (58) 5:7;37:8;47:10; 56:12;62:13,15;71:1; 73:11;74:18;75:2; 79:14,15;86:9;88:14; 89:1;96:13,14;97:20; 99:17;100:12,22; 104:17;110:13;113:14; 119:3;126:23;129:5; 137:4;138:24;140:9; 145:5,22;148:23,24; 155:2;167:13;169:16; 171:25;172:23,24; 185:10;189:9,17,18; 206:9;212:5,8;214:5; 218:11;231:16;257:18, 21;261:13;268:19; 272:4;273:20;274:24; 283:7 facing (25) 75:23;151:8,21; 154:6;164:8;173:15; 203:12,12;209:22; 219:12,13;243:10; 256:4,8;257:22,22; 258:12,15,16;259:5,19, 19;260:9;281:11,12 fact (15) 8:8;19:23;27:18; 31:12;34:15;60:19; 69:2;150:20;174:6; 193:19;194:17;206:6; 215:19;262:18;286:11 factual (1) 26:5 fair (9) 16:17;22:15;25:25; 35:1;106:9;193:10; 224:14;271:23,23 fairly (2) 55:8;68:20 fall (1) 35:16 falling (1) 145:20 Falls (7) 5:12;54:14;69:3; 157:1;184:20;236:5; 237:19 false (2) 85:22;239:10 familiar (9) 55:10;118:12,18,21; 119:1,6,7;229:17; 241:10 familiarity (1) 55:21 families (2) 44:18;65:17 family (12)</p>	<p>46:6;70:11;74:22; 86:19,23;88:2,6,14,19, 22;169:16;226:21 far (11) 20:9;25:21;29:10; 31:19;46:9;91:21; 98:13;177:20;213:23; 262:23;287:11 Farm (1) 127:7 fashion (1) 281:24 fast (2) 106:4;277:7 faster (2) 50:24,25 feasible (2) 62:5;142:21 features (3) 231:4;232:4;268:7 Fed (1) 82:15 Federal (1) 49:24 Federation (1) 42:11 feeding (1) 45:21 feel (17) 23:17;118:8;129:16, 18;150:22,22;151:1; 155:12;157:12;161:10, 25;170:4;204:5; 238:14,20;268:24; 278:20 feeling (1) 128:22 feels (2) 22:23;161:20 feet (87) 5:11;68:5;124:3; 135:9;139:12,14,19; 143:5,10;144:2,2,3,6, 13;145:16;151:20,22; 153:15,21;154:7; 156:4,9;157:4,13,13, 15,16,17;167:1; 178:25;179:1,2,5; 185:21;190:10;195:5, 7;196:6,18,24;197:16; 199:7,10,11;200:24; 201:6,13,14,15,15; 202:1,6;204:6;205:6, 13,16,18,23;207:3,7, 11;209:3,22;210:2; 211:18,23;216:10,12, 16,21;217:9,9,23; 223:15,18;236:2; 237:24;239:1,15; 242:10,12,17,18,20; 246:16;269:21;283:1 fellow (1) 159:23</p>	<p>Fellowship (1) 41:20 felt (2) 160:6;161:15 fence (41) 134:24;135:1,3,8,11, 11;138:1,3,19,22; 140:2,3,8;145:19,20, 25;199:6,14,17;200:8, 11,19,23;201:15; 204:16,18;205:10,11; 208:15,17;209:13; 210:11,13;220:7,8; 222:1,3,5;223:20,24; 224:1 fenced (1) 134:23 fencing (6) 138:23;169:10; 170:14;199:10;221:21, 22 few (9) 30:15;72:18;73:8; 96:24;163:18;188:5; 226:18;233:10;234:17 fiber (4) 249:12,13,17,20 field (3) 42:5;117:21;226:15 figure (8) 21:17;52:10;68:18; 151:18;164:1;182:19; 241:7;242:25 file (12) 14:3;15:9;16:18; 21:25;24:7;25:7;26:10; 125:4;230:13;236:21; 242:1,1 filed (15) 9:21;10:14;11:9,12; 12:20;13:20;15:14,25; 19:22,22;26:16,18; 32:3;96:2;181:21 filing (14) 12:18,25;13:7,7; 15:15;18:21;20:17,21, 21;21:6;22:11,22;29:5; 33:18 filings (1) 62:21 fill (2) 51:4;270:7 filled (1) 51:5 filling (1) 50:25 filter (1) 218:20 filtration (1) 177:24 Final (4) 134:5;157:21,22; 191:18</p>
---	---	---	---	---

finally (4) 19:21,22;220:14,22	48:1;205:2	145:17,25;151:14,15; 169:17;173:23;174:11, 14,19,20,22;200:11,19; 201:16,25;210:11; 269:13;274:1	162:2;235:2	131:16;134:5;138:21; 153:22;160:1;177:25; 178:17;193:8;220:8,9; 239:13,23;257:20; 291:10
find (17) 17:13;35:11;39:19; 46:15;47:18,22;52:2; 61:8;89:3;160:15; 189:10;208:4;211:8; 229:6;269:20;272:11; 287:4	fixtures (4) 172:11;173:14; 204:7;257:12	footage (2) 206:11;213:9	freezer (5) 82:14;83:25;84:1,2,3	furthest (1) 154:21
finding (1) 20:7	flat (4) 152:21;155:7,15; 156:18	footnote (2) 15:17;134:1	frequency (1) 275:5	future (1) 170:23
findings (3) 21:2;35:9;119:8	flattened (1) 151:5	footprint (1) 105:21	Friday (3) 67:23;289:8;292:21	G
fine (11) 8:13,14;17:17;23:2; 93:16;116:6;139:16; 219:18;230:12;253:25; 271:5	flattening (1) 151:11	foray (1) 44:9	friendly (1) 105:17	G7 (1) 167:14
finish (15) 8:6;17:16;18:18; 20:18;60:13;91:6;97:8; 8:212:20,21,24;213:2; 277:11;286:7;292:3	flattest (1) 203:15	forced (1) 239:20	friends (1) 86:20	gable (3) 156:15,15;220:2
finished (4) 33:25;34:6;152:20; 161:20	flexible (1) 131:25	foreground (1) 177:15	front (72) 49:25;50:9;70:12,18; 74:10;79:24;81:18,22, 23;82:3,17;84:9;86:21; 89:8,10;96:15;113:8, 11;117:10;137:3,24; 153:7;156:12,19,23; 158:13,17,22,24; 161:11,11;178:7; 184:25;189:20;190:13; 197:8;202:24;203:2,3, 9,14,14;210:11,21,23; 220:22,23,23;221:4,6, 7;222:9,21;229:25; 230:18;231:9;232:13; 233:6;235:18;238:17; 242:24;245:2,4; 246:21,24;247:2,17; 267:18;272:24;273:11; 288:5;290:18	gables (5) 156:23;231:25; 232:3,5,6
finishes (3) 248:25;249:10,20	flipped (1) 76:8	Forest (22) 119:12;124:21,23, 24;125:1;132:6,14; 133:1,11,21,25;134:3, 5,13,24;166:19; 178:10;180:23;181:7; 205:17,25;206:5	frontage (1) 220:25	Gail (2) 53:19,25
finishing (2) 20:20;106:25	flipping (1) 142:21	forests (1) 149:15	fronts (1) 204:14	garage (57) 94:6,9,13;95:5,6; 103:22;112:15,16; 114:14;151:7,10,17,19; 152:19,24;153:1,16,20, 20;155:13;172:17; 182:25;183:23;184:2; 190:9;192:6,9,16; 196:21,22,23;197:6,7, 8,11,18;246:14,15,20, 25;247:3,11,18;254:10, 22;255:4;256:24,25; 257:1;273:12;275:19; 280:20,22;281:15,23; 282:2,3
fire (13) 85:8;94:24,25;158:8, 9,11,11,15;159:1,8,8; 160:2;220:1	Florida (1) 63:6	forgot (1) 283:22	FTI (1) 42:14	garden (7) 47:20;131:23; 135:15,16,18;150:19, 25
firehouses (1) 158:22	flow (1) 98:16	form (3) 71:11;150:14;183:11	fuel (1) 274:21	gardening (1) 128:23
firm (6) 5:21;106:10,11; 226:20;229:19;283:9	flows (1) 26:3	formal (3) 8:20;18:4;131:22	full (17) 6:11;41:6;48:20; 50:19;109:22;116:25; 156:15;225:1,2;236:6; 243:17;256:25;276:11; 285:11;286:16,17; 290:3	gardens (1) 150:18
first (28) 8:9,16;10:18;15:1; 17:24;19:4;20:7;39:4; 40:15,17;44:9,12; 46:13;48:19;66:1; 72:10;91:7;100:13; 119:10;128:14;136:21; 139:11;171:12;198:7; 251:4;262:9;265:3; 284:21	flummoxed (1) 15:3	formality (1) 8:19	full- (1) 67:25	Gary (1) 53:18
fit (4) 8:5;47:6;160:24; 277:5	focus (1) 177:16	formally (1) 18:6	full-time (4) 48:12,21;106:8; 107:11	gas (2) 113:12;158:6
fitness (1) 115:5	focused (1) 136:6	formerly (1) 42:10	fully (2) 234:23;281:17	gate (1) 281:18
fits (1) 57:9	focusing (3) 95:22;111:6;135:12	forms (1) 71:13	function (1) 168:14	gave (4) 70:15;85:12;115:25; 145:21
five (14) 51:8,8;67:22;69:11, 11,18,19;107:15;201:6, 13,14,15,25;207:3	foliage (2) 285:5,17	formulate (1) 168:25	funeral (1) 74:22	gazebo (2) 132:1;136:22
fix (1) 104:9	folks (1) 278:13	for-profit (1) 66:6	furnish (1) 84:8	gears (1) 49:15
fixed (2)	follow (2) 197:3;203:7	forth (8) 19:14;37:17;38:14; 55:4;134:4;151:18; 158:19;214:16	furniture (2) 70:10;84:8	general (9) 9:14;64:9;122:25; 167:15;169:19;170:11; 185:10;228:1;248:20
	following (4) 36:16;60:8;192:25; 202:13	forward (4) 6:10;17:18;52:20; 63:19	further (17) 37:24;61:15;118:8;	generally (3) 49:4;176:8;211:4
	follow-up (1) 101:2	found (4) 31:14;129:17; 148:16;289:16		
	fondness (1) 76:13	four (10) 20:14;29:15;51:8; 66:19;69:18;151:19; 152:22;153:21;210:11; 239:15		
	food (18) 50:2,4;69:10;82:13, 19,21;83:2,9,20,21; 84:11;89:16,16,22; 90:3,7;93:22;111:11	foyer (1) 230:21		
	foot (29) 135:10;136:1,2; 138:19,22;141:20,24; 143:14,25;144:19,22;	frankly (5) 13:2;16:11;20:3;		

<p>generate (3) 252:23;253:2,7</p> <p>generated (1) 111:24</p> <p>generating (1) 274:23</p> <p>generation (1) 29:12</p> <p>generator (7) 99:13;234:13,19; 273:16;274:14,15,21</p> <p>generators (3) 99:11;104:25;274:18</p> <p>generous (1) 207:4</p> <p>generously (1) 29:14</p> <p>gentleman (3) 6:6;137:10;228:19</p> <p>Georgia (1) 226:4</p> <p>germane (1) 101:21</p> <p>gets (3) 139:24;152:21;254:1</p> <p>Girard (265) 5:24;8:12,13;9:18; 10:11,16,18,19;11:5, 13,20;12:21,23;13:19, 24;14:10;15:13;17:23; 18:17,20;19:8,24;21:4, 8;22:6,25;23:2;30:10, 13,14,15;31:23;32:25; 33:4,6,10,13,19,22; 34:8,10;36:15,16,22; 37:2,5,10;39:11;40:7,8, 15,16,24;41:1,14,16; 42:20;43:2,4,44;8; 48:16,18;53:6;54:9,10; 56:2,6,10,15;57:12; 58:21;60:5,10;72:7; 73:20;74:1,75:17,23; 76:3,8,15;77:8,11,21; 78:8,11;80:4,10;89:17, 24;96:12;98:1;102:3; 108:8;111:14;115:13, 18,25;117:8;118:9,11, 16,17;119:15,17;120:2, 24;121:3,6,8,14;122:6, 14,18;123:23;125:10, 15;126:2,5,7,14; 127:24;128:1;129:4; 130:6;131:9;132:10, 18,24;133:1,7,13,18; 140:1,19;142:17; 146:7,12;147:8,25; 149:25;150:5;158:25; 159:10,12,14,17;163:2; 164:16;165:5,9,18,22; 166:7;167:8;169:2,24; 171:10;174:1,3;177:6; 187:6,10,12,17,21,24; 188:1;189:22;195:23;</p>	<p>196:1;212:18,22; 213:15;216:3,5;217:1, 22;218:8;219:20; 220:5,21;221:12; 223:16;224:21,23; 225:12;227:7;229:15, 16;230:3,5,9;232:8; 234:6,10,18;235:17; 236:14;237:7,11,14,16; 238:7;241:9,21; 242:14;244:7,15,16,21, 24;245:1;246:3;247:8, 19;249:23;250:15; 251:2;255:14,18; 256:18;259:2,7;260:3, 11;264:2,4,8,15,18,21, 24;265:5,11,15; 270:10;271:22;272:25; 275:13;279:14;280:3, 7,12,16,24;282:16,23, 25;283:2,5;284:1,12, 14,22,24;285:12,22; 287:19;288:11;289:24; 290:1;292:4,5,20</p> <p>Girls (1) 52:22</p> <p>GIS (5) 152:19;182:9,14; 242:3;263:18</p> <p>given (4) 48:22;56:21;103:1; 104:11</p> <p>gives (2) 121:20;204:4</p> <p>giving (3) 67:12;69:18;288:2</p> <p>glad (1) 194:25</p> <p>glare (10) 136:5;169:22; 221:22;222:1,5;246:5, 8;250:21;268:8,8</p> <p>God (1) 34:10</p> <p>goes (33) 8:9;16:13;28:12; 35:7;63:12;71:19;74:8; 77:23;98:17;101:7; 107:4,4;109:7;123:20; 129:4,6,23;143:9; 145:7,8;146:18; 176:15;192:5;197:10; 201:4;205:8;210:11; 216:20;222:22;224:5; 257:21;274:8;281:20</p> <p>golf (33) 46:17;63:7;113:17; 117:14;124:14,14,18; 125:23;126:23;127:4; 151:9;157:11;164:11; 193:3;204:3,15,20; 205:7,11;208:9,13; 210:9,10,14,15,17,21;</p>	<p>211:6,9,10,12;237:21, 22</p> <p>Good (17) 5:20;6:2;7:5;14:23; 20:7;26:20;43:17,19; 46:12;93:19;142:19; 145:11;167:6;200:9; 217:25;288:4,19</p> <p>Google (4) 123:4;187:8;189:10; 284:3</p> <p>governing (2) 167:13,15</p> <p>government (1) 226:20</p> <p>governs (2) 39:12;58:8</p> <p>grab (2) 6:10;287:24</p> <p>grade (16) 33:25;34:6;130:15, 21,23;131:12;138:23; 151:3;152:22;155:18; 156:13;190:22;195:14; 199:7;200:23;201:1</p> <p>graded (2) 34:3;209:25</p> <p>grades (1) 151:2</p> <p>grading (14) 33:16,17,18;34:1,3,5, 12,14,14,15,19,20; 130:20;151:12</p> <p>graduated (1) 42:3</p> <p>granite (1) 270:25</p> <p>granted (1) 240:1</p> <p>granting (2) 166:1,3</p> <p>graphic (1) 14:17</p> <p>great (5) 63:2;118:16;171:7; 229:21;292:22</p> <p>greatest (1) 23:16</p> <p>green (7) 131:4;178:3;226:13; 227:24,25;228:5,6</p> <p>greened (1) 187:14</p> <p>greet (1) 50:1</p> <p>grew (1) 45:9</p> <p>grocery (1) 51:21</p> <p>GROSSMAN (700) 5:2,16,22;6:1,5,7,9, 15,20,23;7:1,8,11,14, 17,20;8:2,5,15;10:17,</p>	<p>21;11:6,11,14,19,21; 12:2,5,12,16;13:5,12; 14:1,7,10,14,18,21,23; 15:22,24;16:2,22;17:1, 3,7,12,21;18:16,19; 19:2;20:9,12,24;21:9, 16,19,23;22:25;23:10, 20,24;24:6,10;25:6,17, 19,21;27:23;28:3,8,12, 15;30:1,12,14;31:21, 24;32:8,19;34:8,22; 35:5;36:15,20,24;37:9, 14;39:4;40:11,14,18; 41:3,6,8,13;42:18,23; 43:3,22,24;44:7;48:14, 17;53:11,17,22,25; 56:4,8,13,18;57:1,6,17; 58:19,23;59:2,12,17; 60:7,12,20,25;61:10, 14,18;62:13,17;71:4, 16;72:4,8,22,25;73:2,6, 18;74:2,4,13;75:7,11, 14,21,25;76:4,7,9,12, 17,24;77:2,4,10,13,16, 19,22;78:2,4,7;79:11, 13,18,21;80:6,8,12,15, 19;81:7;82:1;83:16; 89:7,11,19,23;90:1,5, 16,19,23;91:1,4,10,16; 92:4;96:11,13;97:8,18, 20,24;98:2,6,9,14,19; 100:11,18,21;101:6,11, 22,25;102:7,10,13,15, 17;103:1,4,8,12,16; 105:13,22;107:16,19, 22,25;108:7,10;111:7, 16,18;112:7,10; 113:24;114:3,5; 115:12,14,17,22;116:2, 5,7,10,12,14,17,24; 117:2,6,18,24;118:3,7, 10,12;119:13,16,18,22, 24;120:1,3,6,9,12,22; 121:2,5,7,9,11,15,19, 22;122:1,3,8,10,19,25; 123:5,9,12,22,25; 124:21;125:2,9,16,19; 126:2,6,13,16,19; 127:1,8,11,14,17,25; 128:2,5,9,11;129:2,6,9; 130:16;131:4;132:12, 22,25;133:3,8,14,17, 20;134:14,19;135:7; 136:8,14,17,20,23; 137:2,7,14,18,22; 138:12,14,20;139:3,5; 140:23;141:1,12,15,23; 142:1,4,9,14,16,19,24; 143:4,7,11,18,23; 144:6,11,15,18,21; 145:2;146:3,10,13,17, 21,24;147:10,15,17,19, 24;148:18;150:3,6,10;</p>	<p>151:25;152:7,13,17,24; 153:2,4,7,13,17;154:1, 8,12,15,18,20,25; 155:4,10,16,19,21,24; 156:2,5,8,16,24;157:2, 7,15,17,20;159:8,11, 16,18,23;160:3,5,18, 21;161:24;162:9,12,20, 24;163:7,10,13,17,20; 164:14;165:7,10,12,15, 19,23;166:3,10;167:7; 168:7,13,23;169:4,13; 171:11,14;179:25; 181:9,14;182:17,19; 185:3,7,23;186:4,9,12; 187:4,7,22,25;188:6,8, 11,21,24;190:5,12,16; 192:8,13;194:24; 195:17,20,22,25;196:2, 4,11,15,19,22;197:22; 198:24;199:8,12,16,21; 200:3,12,15;201:7,10; 202:13,16,19;203:2,4; 206:14,17,20,24;208:5, 7,11,19;209:5,9,14; 212:20,23;213:2,10,14, 22;214:21,25;215:8,15, 22,25;216:2,15,23; 217:16;218:3,6;219:7, 10,14,18;220:4,15,20; 221:13,15,17;223:8; 224:10,14,19,25;225:4, 6,10;227:3,6,10,13; 228:21,25;229:3,6; 230:8,12,20;231:17,21, 25;232:3,7;234:8; 235:5,10,13,16;236:18, 25;237:3,5,8,12;238:1, 5,23;239:4,14,24; 240:6,11,15,18,21,24; 242:5,8;243:13;244:2, 14;245:12,16,18,21,24; 246:2;247:3,7,13; 249:6,15,17,22;250:10, 13;251:3,6;256:11,14; 258:3,7,11,21;259:5, 11,21,24;260:1,5,8,12, 15,18;261:10,19,21; 262:1;263:24;264:3,5, 13,16,22;265:18,22; 266:6,20,24;267:2,4,5; 269:10,14,17,20; 271:23;272:8,11; 273:2,18;274:6,8; 275:2,6;276:19,24; 277:5,10;278:24; 279:5,8,11,16,21; 280:1,4,8,14,18;282:7, 15;283:1,3,23;284:2,6, 13,23,25;285:23; 286:22,23;287:7,10,17, 20,22;288:17,21;289:1, 3,7,10,14;290:5,11,13,</p>
---	--	---	---	--

22;291:8,15,19,21; 292:2,6,9,13,21 ground (7) 96:20;152:1,3;156:8; 157:4;199:11;239:1 grounds (1) 46:25 group (1) 42:12 grow (1) 139:15 growing (1) 139:24 grown (2) 286:16,18 grows (3) 139:12,14;270:7 growth (1) 243:17 guardian (1) 88:7 guess (17) 11:16;15:15;40:1; 94:24;104:6,25;137:3; 161:14;163:18;165:20; 183:24;201:21;210:21; 217:20;264:23;273:17; 279:7 guessed (1) 216:7 guesswork (1) 85:23 guided (1) 233:19 Guidelines (5) 179:20,22,23;180:2, 3 gurney (2) 74:9,12	55:1 handoff (1) 159:25 hands (2) 7:18;285:24 hang (1) 173:14 hanging (1) 136:25 happen (5) 88:20;94:9;183:5; 213:22;254:15 happened (2) 188:4;237:6 happening (2) 39:1;161:10 happens (6) 47:18;49:19;65:17; 87:18;158:23;253:10 happy (4) 66:2;210:6;239:23; 292:18 hard (6) 68:25;106:4;122:6; 132:19;149:19;247:22 harm (4) 170:9,15,17;248:19 harmonious (1) 170:1 harmony (5) 55:23;56:14;170:7; 248:8;261:23 hate (1) 27:20 head (1) 161:22 headed (2) 88:23,24 headlights (6) 137:4,5,11,19,25; 199:10 Headmaster (1) 52:13 heads (7) 49:8;67:7,8,10; 137:2,23;146:2 Health (2) 44:3;170:17 healthcare (3) 42:5;52:21;85:5 hear (12) 17:21;22:25;56:19; 57:3;96:25;188:20,21, 23;215:8,13;243:22; 286:22 heard (9) 16:18;35:15;100:14; 205:16;212:2;215:3; 238:11;255:8;267:10 hearing (52) 5:2,14,15;8:3;11:2; 12:2;15:2;16:4;18:5; 21:24;22:12,13;24:16;	30:20;35:10;39:9; 53:13,23;54:2,6;57:14; 90:21;103:14;122:4; 125:6;132:7;134:7; 141:3;163:23;166:5; 195:24;214:24;239:25; 240:23;241:5,8; 265:19,20;282:8,19; 284:9;287:24;288:8; 289:8;290:3,14;291:2, 9;292:14,16,17,25 Hearings (4) 5:15;40:3;290:23; 292:10 hearkening (1) 29:17 heart (1) 45:20 heat (2) 235:7,8 heating (1) 105:18 heavily (3) 78:21;80:25;81:8 heavy (1) 106:18 height (26) 123:25;135:7,9; 151:7;155:1,16; 156:10;157:13,21; 166:21;200:25;204:6; 208:2,2,13;235:18,20, 25;236:4;237:23; 238:13,20;239:6; 240:2;247:12;277:23 heights (2) 208:16,17 held (1) 23:9 Helen (1) 11:12 hell (1) 272:13 help (12) 44:18;64:12,12; 68:21,25;92:1;97:25; 106:15;177:24;185:4; 223:19;246:12 helpful (2) 63:18;239:16 helps (3) 48:4;62:9;66:1 Herbert (1) 225:2 here's (1) 79:9 high (10) 139:22;143:6;154:8; 203:21;205:10;233:20; 234:14;249:3;269:8,22 higher (9) 70:6;130:22;145:13, 23;166:16,17;211:18,	22;222:5 highest (3) 65:4,7;154:11 highlight (1) 199:4 highly (1) 64:1 highway (1) 83:7 hint (1) 288:2 hip (1) 45:20 hire (1) 68:18 hmmm (1) 81:1 hold (11) 40:2;58:19,19;60:12, 12;75:21;133:17; 141:23;165:12;212:20; 292:5 Hollies (4) 139:19;145:9;178:6; 269:21 Holly (5) 139:10,12;269:8,13; 270:23 home (22) 46:3;49:24;65:17,23, 23,24;73:14,15;74:23; 84:20;88:23;89:4; 98:18;104:6,10,16; 232:16;264:3;265:25; 272:20;275:12,13 homes (4) 48:10;226:21; 238:17,22 hope (3) 11:25;20:19;23:5 hopefully (2) 49:15;164:4 hoping (4) 22:12;36:22;91:6,21 horizontal (6) 14:11,18;151:15; 231:15;248:1;263:3 horizontally (1) 145:17 hospital (13) 85:3,6;87:6,24;88:1, 10,20,23,24;89:2;94:2; 110:6,23 hospitals (1) 42:6 hotel (1) 85:2 hour (3) 48:11;108:5,24 hours (17) 45:23,24;50:12; 67:19;85:1;92:10; 149:12;211:24;212:4,	8,15,16;213:8;253:13, 15;257:10;272:19 house (22) 75:9,9;78:6;86:9; 128:19;152:9,11; 221:4;228:12;237:21; 241:25;242:20,24; 263:8,9,22;271:10,11, 11,14;277:18;278:3 housekeepers (2) 66:18;67:13 houses (8) 9:11;184:20,21; 218:25;219:3,21; 277:15,21 housing (10) 46:23;71:12,15,19; 72:16;118:24;148:7; 171:8;226:7,19 how's (1) 288:21 human (1) 242:25 HVAC (5) 99:19,20,22,23; 104:25 hydrants (1) 158:16 hypothetical (1) 269:18 hypothetically (2) 243:1;269:12
I				
ice (1) 183:4 idea (4) 39:5;220:22;222:5; 232:16 identical (2) 19:22;263:4 identification (11) 11:3;53:14,24;54:3, 7;122:5;125:7;134:8; 141:5;166:6;284:11 identified (5) 5:9;21:21;92:13; 185:11;273:15 identify (10) 5:18;9:20;53:17; 75:12;82:9;104:13; 119:19;180:13;184:24; 246:12 ignorance (1) 186:2 ignore (1) 27:2 III (1) 244:17 Ilex (1) 139:11 illuminate (1)				

246:6 illumination (11) 168:1,5,12;171:20; 204:4;246:10;250:21; 261:17;271:19,22,24 illustrates (1) 243:3 illustrative (4) 127:20,21;131:1; 185:5 image (2) 262:15;285:15 imagery (1) 285:20 images (1) 10:2 immediate (2) 139:18;184:18 impact (4) 27:9;28:25;139:18; 168:17 impacts (6) 149:20;158:4,5; 169:11;214:7;220:10 impervious (2) 124:20;222:12 impinge (2) 101:22;102:19 implication (1) 27:9 implies (1) 9:5 implying (2) 180:1,3 importance (1) 22:7 important (5) 24:2;31:12;42:20,24; 150:22 imposing (1) 154:2 Improve (3) 32:25;171:8,9 improved (2) 120:15;124:6 improvement (1) 33:1 improvements (12) 29:7;125:24;134:11; 179:11,13,17;181:2,23; 182:1;186:20;266:22, 24 improving (2) 26:23,24 inappropriate (1) 214:10 Inc (1) 6:21 inch (2) 195:7;196:5 inches (11) 135:10;139:22; 196:16;223:24,25,25;	224:2;266:4,13;269:8, 22 incidence (1) 85:24 incident (4) 7:23;87:15,15;88:18 include (2) 28:13;41:18 included (5) 15:16;26:14;236:8; 245:19,21 includes (1) 127:4 including (12) 34:18;55:14;71:2; 77:10;143:24;169:9; 186:21;206:14;215:1; 216:24;219:5;226:7 inclusive (1) 210:5 income (6) 65:9,11,12,15;66:5,8 incorporated (2) 129:13;132:5 incorporates (1) 126:22 incorrect (1) 142:11 increase (4) 28:23;72:13;206:7,8 increased (3) 149:17;157:24; 193:20 increasing (1) 149:4 increments (1) 72:18 Indeed (3) 36:2;224:4;263:6 independence (1) 63:14 independent (5) 46:4,5;64:7;71:13; 115:25 indicate (5) 75:15;76:22;142:25; 191:24;199:20 indicated (16) 101:1;123:15,18,21; 124:11,16;126:22; 128:5,7;134:2;141:6; 143:25;195:17;200:7, 9;260:25 indicates (1) 14:18 Indicating (3) 11:14;76:21;194:8 indication (1) 279:23 individual (3) 134:21;172:11;198:4 individually (3) 6:18;12:15,16	individuals (4) 10:14;24:15,15; 110:18 indoor (12) 96:7,9,17,22,24; 97:11,15,16,21;98:22; 115:4;197:6 industry (2) 42:12;50:20 influence (1) 100:16 inform (1) 35:25 informality (1) 8:19 informally (1) 282:18 information (18) 19:5,16,17,19;20:5; 23:18;29:5;84:22; 85:12,15,23;111:23; 112:3;161:6,18; 241:25;242:6;254:6 infrastructure (1) 48:3 in-house (2) 100:19;106:14 initial (5) 100:25;101:2; 119:17,18;190:2 initially (2) 84:8;185:25 initials (2) 146:4,14 injury (1) 161:22 inquiries (1) 20:15 inquiring (1) 240:25 ins (4) 69:11,19;70:10; 81:22 ins/move (2) 50:16;51:6 inside (9) 94:9;100:12;101:12, 17;113:9;196:8;249:5; 275:20;290:23 inspection (2) 194:9,20 inspiration (1) 248:12 installed (1) 33:9 instance (2) 55:1;106:3 instances (3) 62:22;227:15,17 instead (2) 32:5;264:10 Institute (3) 226:4,11,12	institutional (4) 150:20,21;226:8,20 instruction (1) 87:22 insulin (1) 64:21 insure (2) 170:14;238:9 intend (2) 6:18;77:6 intended (4) 37:18;55:4;262:17, 20 intensity (8) 149:7;170:6;206:9; 212:14,17;213:6; 215:17,20 intensive (1) 45:19 intent (5) 137:22;210:25; 246:20;273:10;285:8 intention (1) 242:22 interest (5) 22:14;40:9;178:8; 240:1;248:4 interested (2) 166:22;239:25 interesting (4) 65:13;164:25; 213:24;221:1 interests (2) 47:19,23 interfere (1) 197:5 inter-generational (1) 46:19 interior (11) 184:13;232:17,22; 233:9;234:15,24; 235:4;254:12;275:17; 283:10,12 internalized (1) 131:20 Internet (1) 123:7 interpret (1) 16:11 interpretation (1) 71:8 interrupted (3) 89:13;92:3;197:23 interrupting (1) 198:25 intersection (1) 5:12 intersects (1) 263:8 interspersed (2) 177:14;178:4 into (67) 12:10;18:4;23:18;	26:3;32:23;38:7;40:9; 44:9;50:4;51:3;57:9; 58:8;61:5;67:10;74:12; 78:1,2,3,5;82:14,14; 83:9,22;98:18,21; 101:17;102:17;103:4, 22;130:1;132:5; 134:13;173:15;179:9; 180:7;181:11,11; 183:9;190:3;191:4; 192:6;193:7;197:4; 202:17;205:7;217:11; 218:16;224:5;232:13; 238:2;240:20;246:8, 12,20;248:15;251:24; 254:1,3,7,8,12;273:12, 12;275:25,25;277:5; 284:17 introduce (1) 31:21 introduced (1) 9:25 intrusions (1) 193:7 Inventory (6) 119:12;123:15; 124:4;161:4;184:6; 194:6 investigate (1) 176:13 invite (1) 24:11 involve (1) 228:15 involved (4) 20:2;52:19;61:2; 175:8 involvement (1) 64:16 irregular (2) 104:11,13 irrelevant (4) 27:9,18;28:5;101:13 Irving (1) 54:1 isolation (1) 46:7 issue (17) 12:7;16:7;20:2,12; 25:23;26:1,3;27:18; 32:17;33:16;101:5; 159:21;169:7;211:14; 215:13;252:10;261:22 issued (1) 21:7 issues (15) 28:6;112:2;138:23; 149:15,22;151:12,23, 23;157:22;158:20; 166:12,15,20;175:12; 193:15 items (1) 250:24
---	---	--	---	---

iterative (1) 254:16 IV (1) 225:3 IV-therapy (1) 45:21	112:14,15;161:23 key (24) 121:22,23,24; 122:21;123:1;128:5,7; 146:25;147:2;160:13; 162:12;163:12,21,21; 164:3,6,7,15;241:22; 255:23,23;256:5; 263:17;266:11	25;118:5,14;129:11,19, 25;131:1;139:12,14; 143:16;145:16;150:14, 16;151:1;167:10; 168:3;169:9;172:13; 173:15;176:19,24; 177:1;178:22,24; 179:1;203:23,25; 204:1;210:18;267:17; 270:11;271:12;285:2, 3,14,21;286:15,20	law (14) 5:21,24;27:1,18; 29:24;31:10;32:23; 33:1;35:17,17,17; 36:10,12;179:17 lawful (2) 33:8,12 lawn (1) 131:25 lay (1) 35:21 layer (1) 220:13 layers (1) 138:22 layout (3) 129:14;148:2;177:9 leading (2) 151:16;209:24 lease (1) 65:24 least (24) 12:6;16:15;18:20; 36:5;38:9;89:18;91:11; 136:4;147:16;163:24, 25;164:2,5;165:24; 167:6;168:20;194:10; 195:5;213:25;223:25; 262:19;277:4;289:17; 290:21 leave (3) 24:6;106:2;108:20 leaving (2) 19:7,7 led (2) 194:9;245:11 Lee (13) 7:5,5,10,12,13,16; 24:7,7,9,23;25:10,18; 225:20 L-E-E (1) 7:13 LEED (5) 105:9,14;136:4; 226:12;245:10 leeway (2) 42:23;43:1 left (11) 122:24;230:24; 231:8,11;232:14; 233:3;243:15;244:17, 19,21;286:3 left-hand (2) 242:24;284:15 legal (5) 6:3;30:7;36:1;38:21; 59:6 legitimate (3) 74:4;80:16,16 length (4) 130:5;216:13;219:3; 222:12 lengths (2)	219:4,5 lengthy (1) 51:13 less (11) 64:19;149:12; 166:18,18;169:18,20; 221:6,10;239:6,21,21 letter (29) 10:7;11:8,10;13:4, 19,24;14:5,7,7,10,15, 21;15:1,8,13;19:24; 21:15;22:2,11;33:17; 53:18,18,19;54:1,4; 116:22;132:13;133:10, 22 letters (5) 10:14;53:7;116:4,8; 122:16 level (49) 45:25;64:7,13,13,16; 66:7;70:6;83:10,11,13, 15,20,23;84:2,4;100:2, 10,23,23;101:15; 104:19;114:18,22,22, 25;115:6,9;152:1,1,3,3; 156:8,17;209:25; 231:13;233:7,9; 234:15,17;239:1; 245:5;247:16;273:6,8; 274:20;275:18,21; 278:6;282:1 leveling (1) 195:13 levels (4) 155:14;249:9; 250:25;260:24 Library (2) 229:11,12 license (1) 229:1 licensed (1) 228:21 Life (4) 67:12;148:23,23; 225:5 light (15) 13:1;30:4;35:22; 55:20;98:16;118:7; 136:6;138:4,5,15; 168:15;215:3;257:12; 261:12;272:1 lighter (1) 131:4 lighting (48) 91:22;112:3,6; 135:21,23;136:7; 140:7;149:18;157:25; 167:23;168:11;169:3, 9;170:14;172:7,8,9,16, 17,23,24;173:2;177:1; 203:17,19,22,23;204:1, 8,12;244:10,11;245:5, 7,9,11,13,15,16;246:9,
J	Jersey (4) 41:21;43:15,21; 56:24 Jim (1) 54:4 job (2) 106:5;167:6 joined (1) 13:4 joins (1) 131:8 Josh (1) 115:18 Joshua (1) 117:1 JPG (1) 10:3 judicial (1) 12:8 jurisdictions (4) 43:14,18,20;225:14	keys (1) 52:3 kind (27) 9:4;16:22;22:6;40:4; 46:7,23;49:25;56:14; 61:11;64:1;67:20;71:1; 78:1;87:5;106:24; 130:3;131:22;137:10; 150:21;158:23;161:21; 167:4;174:10;191:13; 208:15;216:7;222:3 kinds (4) 10:2;45:22;47:24; 106:20 kitchen (2) 84:2;232:19 knock (1) 20:19 knowing (1) 213:8 knowledge (10) 183:20;186:22; 187:9;218:18;219:21; 236:8,10;253:24; 268:17,20 knows (3) 16:24;42:21;81:8	Landscape (1) 144:5 landscaping (8) 77:10;80:2;167:4,24; 186:21;220:12;223:18; 238:8 Lane (8) 5:11;94:24;123:17; 124:8;129:22;135:3; 151:9;158:12 language (1) 36:5 large (15) 47:13,16;50:2;81:20; 82:12,19;83:1;89:16; 93:3;120:16;123:17; 151:16;248:3,16; 262:13 largely (3) 237:24;243:5,11 larger (10) 60:16;72:18;82:23; 104:7;139:15;148:11; 180:23;243:25;262:12; 271:9 largest (3) 49:7;62:2;83:3 laser (1) 260:18 last (14) 7:12;9:21;10:10; 22:6;35:6;123:7,7,7,8; 165:22;173:13;188:5; 226:18;282:4 late (1) 20:21 latent (1) 235:8 later (9) 6:18;7:24;24:18; 34:23;56:20;57:3; 128:21;145:6;229:5 LATR (6) 28:20;32:13;214:6; 215:1,4,12 laundered (1) 101:3 laundry (4) 100:8;101:19; 103:19;105:1 Laurel (1) 41:21	
K	KAUFMAN (74) 5:20,21,22,23;8:14; 19:8;58:17,24;73:25; 74:6;78:10;81:3,10,12; 121:13;122:2;125:8, 12,18;127:23;133:5, 19;140:15;147:14,16, 18;159:13;165:13; 177:3;186:10;187:9, 11,16,20;188:4;197:1; 198:4;202:6;205:22; 209:2,7;217:13,25; 224:12;230:4,10,14; 234:9,11;236:12; 241:20;255:15,20; 260:2,4,7;264:1; 265:13;272:15;279:13, 15,25;280:10;283:25; 288:24;289:2,9,11,22; 290:7,20;291:6,13,18 keep (7) 94:12;103:8;160:23; 197:1;239:18;271:6; 276:19 keeping (2) 148:12;247:25 keeps (1) 170:6 kept (6) 92:13,25;99:11;	L		

11;247:14;250:25; 257:10;260:23,23; 261:11,17 lights (20) 94:19;136:9,11,20, 21,25;172:14;173:5,8, 10,10,11,13,16,17; 245:2;257:7,8,11; 272:10 liked (3) 135:16;138:8;278:20 likelihood (1) 247:1 likely (3) 7:25;78:16;245:11 liking (1) 63:11 limine (5) 12:8;26:4;35:8,25; 36:13 limit (4) 50:12;127:3;136:1; 212:8 limitation (1) 86:19 limited (3) 135:9;195:11;197:18 limiting (1) 221:2 limits (5) 126:21;127:2;170:6; 208:15,17 limousine (1) 113:6 limousines (1) 113:9 line (73) 17:4;54:22;124:9; 126:22;128:24;130:12; 134:18;135:2,2;136:2, 3;139:6,8,8,16;141:10, 16,18;145:4,9;151:20; 153:11,21,23;154:22, 22;167:1;168:22; 169:17;173:7,8,9; 175:13;177:17,23; 178:21;179:2,12; 180:18,22;193:20; 201:19;202:3,9,13,16, 17;204:3,19;210:23; 216:8;222:24;223:21, 24;224:2;239:12; 242:13,19,20,22,23; 243:3,16;248:5; 261:24;264:20,23; 266:4,13,14,18,21; 291:11 linen (6) 100:3,4,19,22;101:1, 12 linens (1) 100:7 lines (1)	266:17 link (1) 145:20 Linowes (1) 5:21 liquid (2) 183:11;222:14 list (4) 14:5;132:20;133:24; 208:4 listen (2) 39:17;142:20 listening (1) 220:19 literally (3) 64:23;93:12;252:16 little (40) 8:18,25;9:18;18:15; 28:20;46:9;62:20,23; 64:25;67:10;82:23; 91:20;105:12;124:19, 24;126:9;131:24; 132:1;135:16,16; 145:6;146:25;149:11, 12;151:3;172:20; 180:23;187:14;195:18; 196:13;198:14;202:21; 220:6;221:1,3;224:12; 239:19;245:7;262:5; 266:2 live (9) 6:13,14;37:18;38:17; 45:18;46:6;65:15;74:8; 278:14 lived (1) 85:20 lives (2) 49:13;65:19 Living (48) 5:3,8;41:20;42:7,11, 12;43:7,45:25;46:2,13; 47:18;53:3;57:23;58:4, 9,12,13;59:7,10,21; 60:1,16;62:21;63:14, 15,24,24;65:14,14,18, 18,20;70:16,18,25; 71:3,3,13,14,14;85:21; 135:13;151:6;155:13; 184:13;185:10;233:23; 262:11 LLC (5) 5:3;58:15,16;59:12, 14 load (1) 192:19 loading (25) 50:4;70:3;78:8,10, 11;83:21;89:14,21; 90:2;190:4;191:2,3,7, 13,16,20;192:3,20,22; 195:1,5;197:4,5,13; 275:24 lobby (3)	73:24;232:13,14 Local (8) 28:21;44:17;52:16, 21,24;85:8;87:6;110:6 locally (1) 68:20 locate (1) 235:4 located (21) 5:10;68:4;100:12,14, 15;101:4,12,19;102:6; 114:24;115:4;174:7; 189:19;193:12;204:17, 21,22;234:24;245:5; 257:2;273:11 location (33) 10:24;44:14,16; 46:12;68:4;78:14; 79:21;81:15;99:12,15; 127:19;146:17;152:1; 164:22;193:24;194:2; 202:11,12;211:17,25; 234:16;241:25;242:11, 12;243:10;244:1; 247:11;250:8,10; 252:24;253:2;258:2; 268:22 locations (8) 85:13;86:7;146:3; 184:12;234:1;248:2; 262:21;273:15 locked (2) 87:1;288:3 Lockland (1) 127:7 logic (1) 35:18 logical (1) 12:1 long (13) 30:21,22;50:16;51:4, 14;64:15,15;85:21; 102:15;221:17;225:23; 229:11;286:18 longer (8) 23:9;44:25;91:6,7; 219:4,6,9;266:3 longest (1) 40:2 look (49) 28:22;30:25;31:10; 32:19;35:8;38:20,25; 45:4,5,11;46:12,13,15; 54:25;63:19;76:18; 86:4;97:22;122:19; 141:8;144:8,9;149:2,7; 151:24;157:22;160:1; 161:21;164:20;168:15; 172:1;192:1;198:14; 206:9;213:17;214:1,2; 218:24;219:17;236:5; 239:8;241:6;255:21; 256:5;266:10,11;	278:12;289:19;291:15 looked (17) 14:4;56:11;98:15; 133:11;138:8;140:6; 148:5,15;151:13; 157:9;163:22;169:18; 206:3;212:9,9;235:21; 248:11 looking (57) 15:12;20:14;30:16; 37:16;45:10;55:7; 58:24;61:4;126:11; 130:10;132:18;138:21; 140:3;143:1;149:14; 152:5;154:15,15; 157:23;161:19;168:19, 19;173:4;183:25,25; 184:6;185:9;195:7; 201:21;203:23;204:5; 207:8;208:5,7;217:2; 219:2;222:19;233:2; 237:17,20;239:19; 240:20;243:1;244:19; 247:4,9;250:6;259:8,8, 11;260:9;264:12; 266:9,16;271:7;272:4; 286:10 looks (20) 31:8;57:10;63:12; 132:16;133:9,14; 155:9;161:19;165:19; 187:18;196:23;199:19; 201:1,7;220:3;223:19; 262:13;274:9;278:3; 288:4 loop (1) 246:23 lose (2) 85:20;94:3 lost (1) 226:22 lot (31) 7:2;15:5;43:12;47:4, 17;50:25;52:24;68:1; 69:20;78:21;85:12; 94:12;105:5;135:15; 140:18;150:11;151:3, 12,23;159:3;186:7; 187:18;204:2,10; 206:4;207:9;211:11; 222:22;233:1,2,3; 237:20 loud (1) 41:2 love (2) 89:3;277:11 loved (3) 44:18;46:16;278:13 low (4) 65:9;112:6,6;153:23 lower (17) 66:8;83:22;84:1,4; 139:17;145:12;155:1;	178:2;193:20;210:20; 239:13;241:22;242:24; 246:17;247:12;249:8; 255:4 lowest (3) 65:3,5,6 L-shape (1) 141:25 luck (1) 20:7 lunch (5) 49:10;106:20,21,22; 147:21 luxury (1) 62:21
M				
Ma'am (5) 41:3;80:21;81:17; 84:12;115:1 Madam (2) 7:4;15:20 mail (1) 82:15 mailman (1) 49:24 main (7) 54:21;155:1,25; 207:14;231:13;235:22; 267:2 maintain (1) 63:14 maintained (1) 156:11 maintenance (16) 99:16;101:5,7,8,24, 25;102:1;103:20,23; 104:1;105:3,4,6,12; 111:12;275:22 major (4) 15:15;36:7,9;102:23 majority (4) 216:12;232:12; 272:22,23 makes (3) 101:18;174:8;274:16 making (7) 19:25;45:3;51:13; 88:5;106:19;205:25; 211:24 management (10) 26:22;126:3;138:24; 140:9;145:5,22; 146:19;181:10;183:9, 12 managers (3) 66:19;67:11;110:4 Manor (35) 45:14,17,18;46:17; 52:12;70:9;75:19; 124:9,18,25;126:23; 127:5;129:24;130:21;				

131:3,7,16;153:9; 164:24;165:7;166:4, 16;167:3;175:4,19; 184:19,22;185:22; 186:3,5,7;205:15,18; 206:1;281:11 Manor's (2) 127:5,5 mansard (7) 155:9,14,17;156:9, 14;157:4;239:10 many (38) 9:3;44:23;46:4,19; 47:14;48:12,21;51:5; 61:20;66:15,15;70:10; 71:12;96:17,19,20; 107:12;109:15;128:22; 148:18;185:17;189:7; 204:11;207:6,12; 219:3,10,14,22;231:3, 4;238:17,22;261:1; 277:18,21;286:21; 288:8 map (10) 121:23;122:21; 123:1;126:12;142:6; 152:6;161:4;185:3; 222:20;263:19 maps (2) 162:3;182:9 marginally (1) 62:12 mark (5) 125:2;143:12;230:4; 284:2,7 marked (12) 11:3;53:14,24;54:3, 7;115:22;122:4;125:7; 134:8;141:4;166:6; 284:10 markets (2) 66:9,10 Marshall (4) 11:13,14;158:11; 220:1 Martin (1) 5:16 Maryland (15) 5:12,13;6:14;10:5; 44:9,12,13;45:8;56:24, 25;61:5;194:4;226:5; 228:23;229:1 masonry (13) 141:20;143:6,14; 144:3,3,21,22;173:23; 174:11,14;250:8,17; 253:6 mass (2) 231:10,12 massing (7) 150:13;151:8;170:4; 238:13;247:21;248:15, 15	master (26) 44:20;70:14,16,17, 21,24;71:9,17,18,22, 23,24;72:1,6,22; 118:22;148:6,6,16; 149:3,8;202:21,22; 203:8;206:7;213:5 Master's (1) 226:3 match (3) 262:16,21;263:1 material (3) 183:16;249:14; 281:16 materials (4) 105:18;232:1; 247:25;248:25 math (1) 265:12 mathematical (1) 169:23 matter (9) 5:3;10:10;18:9,22; 22:19;27:1;29:24; 193:18;214:19 matters (14) 8:9,17;10:18;11:7, 23;12:5;16:14;22:15; 26:5;34:23;40:2,3; 47:24;91:24 mature (5) 286:4,8,11,12,16 maturity (1) 286:19 max (1) 216:16 maximum (18) 48:13,14,14,19,22; 67:2;108:17,19; 139:10,13;171:25; 172:4;178:5;204:6; 217:4,10,19;269:22 may (79) 7:23,25;14:1;18:5; 20:8;22:18,22;35:18; 38:24;40:6,15,22;41:3, 14;45:21,21;46:4; 47:19;49:12,17;51:17; 57:6;63:6,10;64:25; 67:8,8,23,25;68:9; 73:14;80:17;81:24; 83:11;88:25;90:24; 91:20;93:25;104:15, 15;106:15;107:1,4,5,6; 108:16,18,22;110:7; 117:6;137:20,20; 138:25;144:11;163:3; 174:15;175:22;185:5; 186:1;194:20;197:1; 200:8;203:16;205:1; 213:14;215:19;221:16, 17;223:7;225:10; 229:4,14,14;239:12;	241:2,2;259:19; 268:17;280:6 Maybe (29) 12:24;60:17;61:7; 63:12;65:18;66:12; 69:15;91:20;92:16; 98:12;107:19;109:18; 110:3,12,25;133:11; 137:19;184:1,4,5; 185:1;206:4;207:3; 209:20;210:3;226:22; 239:15;271:9;277:10 MBA (1) 41:25 MBP (16) 146:4,5,6,9,25; 200:14,19,22,25;201:3, 15,19;202:3;223:20; 224:1,4 McWhorter (1) 54:5 M-C-W-H-O-R-T-E-R (1) 54:5 mean (49) 18:24;20:8;22:20; 31:8;37:6;43:24;46:21; 53:2;69:23;71:8;72:22; 77:5;81:5;82:20;83:1; 85:2;90:20;95:8;104:2; 106:6;108:2;125:16; 129:11;164:2;168:7; 179:25;180:14;199:14; 208:15;212:12,16; 213:16,24;216:19; 218:15;219:8;222:4; 223:23;230:12;239:14, 24;253:8,14;265:1; 269:7,12;278:11; 287:16;288:12 Meaning (3) 16:10;110:2;211:16 means (8) 43:25;51:22;81:22; 86:13;105:14,15; 136:6;214:5 meant (3) 161:6;258:9;267:3 measure (4) 195:23;216:9;244:6; 282:22 measured (2) 17:8;236:1 measurement (2) 18:23;169:17 measurements (1) 14:19 measures (1) 214:6 measuring (1) 282:18 mechanical (12) 99:25;174:5,11; 233:25;234:15,17;	235:1,6;273:15; 275:17;276:11,13 Medicaid (1) 66:8 medical (9) 70:8;87:4,5,8,15,25; 88:17;94:17,20 Medicare (1) 66:8 medication (5) 64:18,20,21;87:22, 23 medications (1) 106:16 meds (3) 64:19,19;107:1 meet (3) 31:18;43:25;289:16 meeting (5) 17:25;52:14;66:7; 213:18;233:19 meetings (2) 288:8,24 meets (5) 9:12;88:22,22; 196:13;214:15 member (6) 42:8;86:23;88:6,7; 226:9,11 members (2) 8:7;68:12 memory (6) 5:8;62:6,15;64:4; 131:20;232:23 men (1) 63:2 mention (3) 112:18;133:20; 204:15 mentioned (17) 23:3;31:8;86:1; 113:6;132:12;173:23; 175:15;176:18;205:14; 208:9;218:23;234:2; 250:8;260:22;267:22; 273:25;276:18 mentioning (1) 35:8 mentions (1) 209:6 mesh (1) 204:20 met (10) 9:7;30:21;52:11,12, 13,15,16;136:3; 167:21;181:1 metal (1) 281:18 Metro (5) 55:6,7;68:9,14,17 Micro (10) 146:4,7,9,15,25; 147:3;199:5;216:19;	223:17,20 Micro- (1) 146:9 microphone (1) 40:20 midday (1) 48:23 middle (8) 90:21;91:2,5;106:23; 109:1,7;230:22;263:7 mid-point (5) 190:17,19;201:5; 236:1;237:23 midway (1) 141:17 might (28) 24:23;40:19;56:22; 61:8;63:4,8;64:7,13, 16;72:1,17;93:24;94:8, 13,13;104:11,16; 119:19;147:9,10; 155:24;165:22;240:25; 261:12;273:7,12; 275:22;290:15 mile (1) 54:23 mind (6) 144:9;161:9;184:7; 239:18;276:20;285:15 minimal (1) 124:5 minimum (2) 64:8;216:15 minor (2) 15:17;22:18 minus (2) 155:20;201:6 minute (12) 58:19;75:25;102:22; 106:13;163:23;217:13; 223:19;229:23;258:3, 21;266:2;287:25 Minutes (4) 10:7;82:24,25;292:8 mischaracterizing (1) 184:4 mishear (1) 86:2 mislead (1) 267:4 misnomer (1) 9:4 misrepresentation (1) 263:13 missed (3) 137:20;201:9;209:9 misspeak (1) 156:21 misspoke (1) 269:1 mistake (1) 162:5 mistaken (6)
--	---	---	--	--

26:9;83:11;108:16; 114:17;172:22;266:19 misunderstanding (1) 195:2 misunderstood (2) 258:24;264:5 mitigate (3) 149:20;220:8,9 mitigation (3) 132:4;167:4;220:13 M-NCPPC (1) 124:4 model (7) 65:24;242:4,5,7,10; 263:18;285:10 moderate (1) 65:11 modification (1) 198:12 modified (1) 187:7 mom (4) 63:10,13;86:24; 88:19 moment (6) 19:7;35:15;86:3; 108:15;140:17;218:10 moments (1) 291:21 Monday (3) 67:23;290:8;292:17 monolithic (2) 248:3,16 Montgomery (7) 7:6,8;20:8;52:15; 117:14;119:5;225:16 month (19) 18:15;51:6,8;63:20; 65:4,6,24,25;69:12,16, 19;74:21;288:6,7,12; 289:22;290:3;291:7,9 months (5) 50:22,22;51:1;74:20; 189:7 more (52) 9:1,17;12:8;25:5; 40:22;49:13;62:10,11; 63:9;64:10,20;66:4; 73:4;96:21;103:1; 106:3,13;107:17,22; 109:13;119:6;131:24, 25;135:5;141:8; 145:15;149:11;150:19; 151:13;152:23;154:5; 161:19;176:5;180:3; 184:7;187:18;188:2; 198:15;199:19,20; 203:11;210:3;211:24; 218:19;221:6;248:4, 15;260:14;276:21,22, 25;290:9 morning (18) 5:20;6:2;7:5,25;	26:6;48:10;49:5,15,20; 63:19;87:23;91:5,11; 106:16,17;109:4; 254:11;255:8 mornings (1) 106:15 most (33) 28:8;29:13;48:10; 49:22,23;60:1;62:14; 63:24;65:8,15;66:17; 78:16;84:25;99:24; 100:7;106:13,13; 117:12,13;124:5,17; 134:12;135:12;151:7; 152:2;158:20;162:1,2; 166:24;197:15;219:24; 252:1;276:12 Mostly (1) 74:25 motion (7) 12:7;26:4,5;35:8,23, 25;36:14 Mount (1) 41:21 mounted (1) 245:9 move (26) 40:20;50:16;51:5; 52:19;66:1,3;69:11,12, 19,19;70:1,1,5,5,7,9; 81:14,14,15,18,21,22, 23;118:11;131:13; 227:8 moved (4) 130:19;205:1; 288:13,15 movement (1) 176:15 movements (1) 158:10 moves (2) 70:11;81:21 movie (1) 49:17 moving (10) 22:21;25:20;26:24; 30:9;69:4;70:2,13; 82:2;180:17;192:6 Mrs (6) 6:3,8;7:22;23:14; 47:2;75:9 much (26) 8:20,25;23:9;44:22; 49:13,13;52:25;57:5,9; 64:6,6,22;66:20;83:24; 87:12;91:6,7;130:20; 150:18;159:5;164:13; 166:17;211:24;221:10; 229:13;276:21 multi-family (4) 226:19;227:1,22; 228:12 museums (1)	47:21 music (1) 232:15 must (6) 9:25;28:18;35:11,14; 36:19;37:1 myself (2) 6:17;260:16 N name (14) 5:16;6:2,11,13;7:5, 12;41:6,17;116:25; 184:23;225:1,2,18,19 named (1) 60:17 narrative (3) 6:18;25:3,8 narrow (1) 177:21 narrowest (2) 223:14;243:9 National (3) 10:5;42:11;194:4 native (3) 139:11,13;178:7 natives (1) 178:9 Natural (6) 119:11;123:15; 124:4;134:22;184:6; 194:6 Naturally (1) 139:15 nature (11) 8:18;12:6;26:2; 35:25;36:9;47:4; 124:20;171:1;176:16; 228:9;262:18 near (11) 44:24;68:5;91:22; 129:21;135:18;139:7; 152:13;173:5;176:6; 179:5;228:12 nearby (2) 46:20;184:20 nearest (1) 55:7 Nearly (1) 152:15 necessarily (1) 200:2 necessary (11) 34:25;35:9;94:16; 129:13;136:11;149:20; 160:7,15;170:13,13; 292:16 necessitate (3) 23:9;104:17;105:2 neck (1) 161:22 need (68)	16:17,20;20:5;25:4, 4,15;30:18;31:5;34:16; 44:17,17,19,21;45:20, 21,21,22;46:3;47:21; 48:3;63:9;64:6,10,11, 12,24;65:1;67:20,24; 68:12;70:6,6,18,20; 71:2,15;82:14;85:6; 86:13;87:24;88:10; 92:20;99:16;105:12; 106:13,15;107:2,7; 111:7;117:22;118:8; 136:12;158:23;159:4; 167:18;177:22;180:13; 182:7;191:14,17; 197:1;203:24;208:19; 210:25;241:18;246:10; 255:20;287:19 needed (7) 70:23;72:15;86:15; 167:5;208:20;250:24; 276:20 needing (1) 5:8 needs (8) 18:4,14;44:17;47:13; 51:2;64:23;87:16; 233:20 negotiated (1) 158:19 neighbor (3) 219:5,7;232:17 neighborhood (31) 27:10;28:19;31:4,16; 52:9;55:24;126:10,11, 21;127:2,3,12,15; 160:8;170:2,11;171:6; 184:17,18;185:3,12; 214:4,15;218:23; 231:3;238:14,18; 248:9,12,21,24 neighborhoods (4) 126:24;218:25; 278:2,14 neighboring (1) 170:18 neighbors (1) 46:21 neither (2) 32:15,15 net (5) 149:10;158:4;208:9, 14,21 new (30) 9:24;11:8,10;14:17; 32:16;37:11;41:21; 42:14;43:10,15,15,21; 56:24;65:23,24; 105:11;120:17;121:13; 125:3;129:25;140:21; 148:9;154:2;194:22; 198:1;199:1,13; 209:10;220:7;240:23	newspaper (2) 60:8,10 next (33) 13:25;14:1;26:1; 45:14;46:17;48:16; 51:15;70:9;72:14,17; 115:17,18;148:8; 157:10;169:16;195:15; 219:5,7,7;224:19; 240:23;241:5,7; 249:25;265:19,19; 282:7,8,19;287:12; 288:4;290:9;291:9 nice (5) 128:19;135:25; 159:25;248:25,25 nicely (1) 47:6 night (10) 49:19;66:21;86:25; 87:17;88:15;89:4; 109:6;171:21;257:8; 271:20 nighttime (1) 272:5 Niles (2) 226:17,17 nine (1) 246:16 nobody (1) 143:11 noise (20) 94:20;111:23,25; 112:2;140:7;149:18; 166:20;250:21;253:3, 7,23;268:4,13,14,18, 23;274:16,19,20;282:1 non- (1) 272:24 none (9) 99:10;104:2;107:8; 204:2;268:20;270:4,4, 8;274:22 non-emergent (1) 85:3 nonetheless (1) 107:8 non-majority (1) 272:24 non-memory (1) 62:15 non-residential (1) 203:12 non-vehicle (1) 113:14 noon (3) 48:23;67:5;108:24 normal (3) 82:15;253:14;261:8 normally (4) 67:22;95:4,7;113:8 Normandy (1) 127:7
--	---	--	--	--

<p>north (55) 5:11;9:20;75:22,23; 76:18;83:16,17;120:6, 8,11,12,14;121:16,18; 122:22,23;124:13; 126:16,17;128:2,4; 131:21,23;136:24; 141:6;142:4,5,7,7,21, 22,23;144:23;160:4,5, 8,10,12,24;161:8; 162:3,15,16;163:11,14, 25;164:4,7,15;174:23; 210:22;225:20;230:19; 259:12,13</p> <p>north/south (2) 121:24;159:20</p> <p>northern (7) 134:17;136:18; 142:5;158:14;179:12; 180:17,22</p> <p>northwest (5) 78:4;124:11;134:16; 138:6,18</p> <p>Nos (1) 141:3</p> <p>notations (2) 13:15;279:23</p> <p>note (7) 30:15;37:5;134:1; 158:8;255:23,23; 272:13</p> <p>noted (6) 62:20;151:3,11; 158:4;195:12;281:17</p> <p>notes (1) 91:9</p> <p>notice (3) 24:15;66:3;239:23</p> <p>noticeable (2) 246:8;252:22</p> <p>noticed (3) 53:8;159:18;242:21</p> <p>notified (1) 88:2</p> <p>noting (2) 10:24;17:18</p> <p>notwithstanding (2) 85:14;98:21</p> <p>November (2) 165:24;288:9</p> <p>NRI (4) 119:10,11;123:18; 161:4</p> <p>NRI/FSD (2) 120:1;160:8</p> <p>number (45) 13:25;14:1;16:21; 48:3;61:25;62:14; 66:12,22;70:19;71:9, 10;85:13;96:25;97:3; 108:13;121:10,13; 127:23;128:16;146:3, 10;149:4,24;165:11;</p>	<p>171:24;177:3,4,11; 182:13;188:17;206:8; 211:13;213:6;217:7, 20;218:1;229:1;230:1; 236:24,25;243:3; 261:13;268:7;280:8; 284:21</p> <p>numbers (7) 25:13;53:16;69:17; 93:25;144:24;212:13; 244:14</p> <p>numeral (3) 199:3;230:8;244:17</p> <p>numerous (1) 10:14</p> <p>nurse (5) 45:22,24;85:1;87:19; 110:14</p> <p>nurses (2) 45:23;66:20</p> <p>nursing (7) 42:6;45:18;65:2; 70:7;87:1;275:12,13</p>	<p>41:18;225:21,23</p> <p>occupied (2) 69:24,25</p> <p>occur (11) 49:22;50:7,13;73:16, 17;74:19;75:10;92:9; 95:25;170:15;233:2</p> <p>occurs (1) 85:17</p> <p>o'clock (12) 48:10;49:14;67:16; 86:25;87:17;88:15; 89:4;108:23,24;109:4, 6;147:7</p> <p>octagonal (1) 231:11</p> <p>October (6) 13:8;14:5,25;18:8,9; 21:7</p> <p>odd (3) 179:15;217:6;271:9</p> <p>oddity (1) 209:16</p> <p>odors (6) 250:21;251:10,18, 22;252:14,16</p> <p>off (31) 18:23;20:6;61:16; 67:16;86:24;91:13,14; 114:17;124:12;127:6; 129:22;135:1;136:5; 137:15,25;147:20; 163:24,25;182:21; 199:7,11;223:24; 224:16,17;232:18; 257:13;262:14;266:13; 272:1;291:24,25</p> <p>offer (3) 8:10;18:13;24:19</p> <p>offered (2) 42:25;92:17</p> <p>Office (8) 5:14;14:6;23:19; 24:8;38:5;116:21; 287:25;291:16</p> <p>officer (3) 57:22;59:6,9</p> <p>officers (1) 59:19</p> <p>official (1) 196:1</p> <p>officials (1) 288:8</p> <p>off-site (4) 124:18,24;126:1; 134:21</p> <p>often (16) 8:8;49:22;50:6; 73:16,17;74:17,19; 84:22;85:17,17; 116:17;254:3,7,9; 275:3;283:9</p> <p>old (4)</p>	<p>9:3;37:12;46:5; 73:12</p> <p>older (1) 122:12</p> <p>olds (1) 64:24</p> <p>on- (1) 124:19</p> <p>once (10) 38:17;39:5;51:5; 52:19;106:2;121:16; 161:14;214:4;227:18; 278:15</p> <p>one (132) 6:6;7:22;12:6,7; 13:12,21;16:21;20:7, 25;22:3,12;30:16;36:3; 37:12;38:11;39:7;41:1; 43:10;46:25;47:1,23, 25;50:25;51:25;54:20; 55:14;57:9;58:7;59:7; 61:23;63:8;64:3;75:21; 78:25;79:16;88:5; 94:11;107:3;110:6,10, 10;119:14,16;120:13, 14;121:16,25;128:3,4, 16;131:20;132:19; 133:17,20;135:24; 139:9;142:21;145:17, 19;148:11,11;149:5, 11;150:1,15;151:14,14, 14,14,15;154:25; 158:8;159:14,19,20,24; 162:7;180:21;184:10, 25;186:6,7,16;195:7; 196:5;200:13;201:23; 205:5;209:8;211:21; 215:21,21;217:6,8,9; 219:1,4,15;227:18,19; 228:2;231:20;233:13; 234:6;244:16,17; 249:25;251:4;255:15, 16,19;256:4;264:1; 266:3,5;272:3;273:16; 274:4;280:6;281:11; 283:7,17,18;285:7,8; 286:3;288:7;289:12, 16;290:14;291:1,13</p> <p>ones (8) 23:16;44:19;119:17, 18;262:12,13,19,23</p> <p>only (39) 10:13;15:9;30:17,24, 25;32:13;34:10;43:25; 50:15;58:17;69:11,14; 82:12;84:6;85:6;89:15; 98:10,10;102:7,7; 151:6;156:22;161:6, 17;162:7;180:8;181:6; 186:6,7;188:16; 199:18;205:5;206:22; 209:7,22;212:2;221:1; 261:4;290:3</p>	<p>on-site (19) 48:14,16,23;85:1; 87:7;100:4,7;101:3,6; 105:6;107:17,23; 108:3,4;110:7;113:12; 124:23;149:16;194:20</p> <p>onto (2) 125:23,23</p> <p>open (14) 21:24;23:9;34:17; 131:24;135:20;174:22, 22,23;193:14;195:15; 212:16;281:19,23,24</p> <p>opened (2) 43:10;50:24</p> <p>opening (5) 40:6,7,12;131:1; 282:2</p> <p>operate (8) 8:20,25;43:7,14; 62:5;66:10;73:13; 90:11</p> <p>operates (2) 8:21;128:15</p> <p>operating (1) 61:22</p> <p>operation (14) 26:25;67:19;68:2; 85:14;186:3;211:25; 212:4;213:9,10;257:9; 274:17,19,20;281:21</p> <p>operations (7) 48:7;92:17;251:13, 14,24;253:5;257:11</p> <p>opinion (31) 38:17;56:7,8;165:1, 3,18,20,25;167:9,25; 168:9,16,25;169:6,25; 170:8,16,21;171:4; 186:10,13;193:2; 205:20;246:4;251:17; 252:14;269:5;270:13; 271:7;278:14,17</p> <p>opinions (1) 26:17</p> <p>opportunity (10) 16:20;17:15;25:25; 27:21;35:2;61:1; 145:21;241:4;256:12; 289:19</p> <p>opposed (5) 7:14,16;37:23; 138:15;203:9</p> <p>opposition (4) 10:13;12:25;22:16; 47:12</p> <p>option (1) 281:22</p> <p>options (2) 235:1,3</p> <p>orange (1) 136:22</p> <p>order (6)</p>
---	---	---	--	--

8:11;12:1;20:4; 37:11;50:3;213:20 ordering (1) 30:5 Ordinance (23) 5:5;9:3,13;28:20; 33:18;34:2;35:22;36:5; 119:2;167:12,15; 168:21;169:15;200:4; 208:12;209:1,6,10,17; 214:16;227:25;228:16; 261:25 ordinarily (1) 116:7 organization (5) 24:7,13;25:9;60:23; 291:1 organizations (1) 226:10 organized (1) 229:24 orient (1) 230:18 origin (1) 123:3 original (2) 19:21;217:18 originally (1) 56:25 ornamental (1) 177:14 others (6) 7:3;9:15;43:9,11; 54:12;208:25 otherwise (3) 134:2;155:15;276:13 ours (1) 166:16 ourselves (1) 105:6 out (71) 8:11;13:9;17:25; 18:10,15;20:13,21;17; 24:7,17;30:20;31:11; 35:21;50:5;52:7,10; 66:3;68:18;73:22; 74:12;78:1;81:21;82:2; 24:87:11;96:10,11; 98:17;103:6;113:11; 125:22;131:14,15,19; 133:3;142:12;144:23; 146:2;147:12;151:11; 19:161;13,16;164:1; 177:12;181:16;183:11; 185:14;195:13;196:11; 197:6,14;207:5,16; 216:9;233:2;241:7; 255:17;259:8;266:18, 20;270:7;272:11; 278:21;281:3,15,23; 285:8;287:4,24;288:6; 291:5 outdoor (3)	131:24;135:21; 149:18 outfall (6) 176:6,11;177:24; 180:10,15;181:10 outfalls (1) 179:15 outlive (1) 63:2 outreach (1) 52:9 outs (8) 50:16;51:6;69:12,19; 70:1,5;81:14,23 outside (13) 54:21;61:4;102:1; 105:8;128:25;137:5; 145:25;172:21;173:11; 174:17;178:19;228:13; 232:20 over (22) 15:21;18:15;32:7; 38:16;46:22;65:7; 71:20;72:14;86:7; 98:17;107:11;144:8,9; 148:8;149:22;151:15; 163:22;196:17;231:13; 260:6,8;292:3 overall (1) 71:2 over-concentration (1) 149:3 overlap (1) 290:2 overlapping (1) 107:19 overlooks (1) 132:1 overrule (2) 129:9;169:5 oversight (1) 23:3 own (9) 32:15;60:1;61:20; 63:15,15,16;104:23; 112:12;167:19 owned (6) 59:22,24;60:18,19; 61:14;186:7 owner (3) 11:15;38:11;102:23 owners (2) 6:4;52:17 ownership (1) 61:7 owns (1) 11:16 OZAH (4) 14:6;19:18,18,19	234:3 page (10) 32:17;71:19,20,25; 72:10;165:22;230:19, 19;236:15;237:14 pains (1) 250:23 palette (1) 232:1 panel (5) 82:16,23;99:21,22; 104:17 panels (1) 249:13 papers (1) 96:1 parallel (1) 173:9 Parcel (2) 5:10;148:13 pardon (2) 74:3;147:17 parent (2) 59:21;88:22 parents (1) 44:24 Park (10) 10:5;22:19;112:24; 113:8,9,11,21;124:16; 181:1;194:5 parked (2) 197:8;247:1 parking (68) 95:6,14,15,17;96:8,9, 10,15,17,18,22,24; 97:11,15,16,21;98:22; 108:15;113:20;114:12, 14,18,22;120:21; 124:7;129:14,19; 130:11,14;131:13,15; 135:19;151:7,10,17,19; 153:16,19,20;155:13; 159:3;167:23;183:22; 191:4;192:6;197:10, 10;202:23,24;203:12, 17,22;204:2,10,14; 205:7;210:16,17; 218:11;220:23;221:5; 222:21;233:9;237:20; 254:12;273:6,12; 281:18 Parkinson's (1) 65:1 parlance (1) 76:18 parlor (1) 232:15 part (36) 10:6,9;20:2,21,2,14; 23:3;31:16;36:3;38:13; 39:4;52:8,25;102:11; 105:20;127:9;146:19; 155:1;168:14;185:22;	186:5;191:7;198:22; 206:23;210:12,20,20; 214:23;224:5;235:6, 10;236:19,20;244:13; 246:20;266:8;286:14 partially (1) 136:5 participants (1) 39:18 participating (2) 24:20;25:2 particular (17) 23:22;31:25;44:15; 45:11;70:3;75:2;119:3; 123:3;129:16;148:23; 166:11;175:11;180:21; 181:10;191:23;215:1; 222:3 particularly (7) 32:16;44:19;46:10; 54:13;108:14;176:25; 177:16 parties (5) 5:18;9:19;13:21; 36:1;40:6 partner (1) 5:24 part-time (5) 48:13,20,21;67:25; 106:7 party (1) 78:15 pass (6) 73:14;81:25;85:19, 21;267:23,24 passed (4) 78:15;86:6;94:16,19 passenger (1) 255:7 passing (2) 84:17;85:17 past (6) 28:22;61:7;86:6; 141:19;143:9;277:1 path (5) 132:1;158:17,20,21; 190:2 patients (3) 45:18;46:1;131:20 pattern (4) 82:8;177:13;193:14; 211:11 patterns (1) 176:15 Paul (18) 6:3,8;52:14;175:16; 176:4,12;178:21; 179:1;182:5;184:13; 185:15,19;195:6; 196:13,23;209:23; 238:25;255:11 Pauls (5) 130:25;141:16;	145:20;216:9;219:8 Pauls' (47) 17:4;75:9,20;78:6; 79:23;124:10,15,19; 125:23;139:9;152:3,4, 11,14;153:10;154:3, 22;157:3;193:22; 194:13,18;195:3; 201:19;202:3,9; 205:15,18;206:1; 211:18,22;219:9; 241:17,25;242:11,20; 243:10,15;244:2; 279:4;281:1,2,5,9,13; 282:5,23;285:17 Paul's (10) 13:13;18:10;23:14; 47:2;75:9;242:19; 256:1,4,8;279:17 pause (1) 53:9 paved (1) 124:6 pavement (1) 218:16 pay (3) 65:14,23;66:9 payroll (1) 107:13 PDF (2) 10:1,2 peaceful (2) 170:9;248:19 peak (16) 48:24;67:5;109:1; 149:11;155:4,4,6,11, 17,24,25;156:3,8; 209:25;210:4,5 peaked (7) 154:11,12,12; 155:12;207:18;219:22, 24 peaks (1) 106:23 pedestrian (2) 54:12;173:11 penalty (3) 41:11;117:4;225:8 pendency (1) 10:25 Pennsylvania (7) 42:1;43:15;226:25; 227:19,23;228:10,13 pension (1) 65:16 people (50) 7:2,21;22:16,20; 40:22;47:19,21,23; 48:25;59:3;66:4,7,15; 67:5,20;68:18;73:12; 76:13;82:2;84:16; 85:16,19,20;86:6,10, 12,17;91:5;99:22;
	P			
	pad (1)			

107:3;108:2,3,4,17,18; 109:5,6,10,11;116:20; 147:5,11;161:19; 162:1;171:8;272:5; 281:22;282:19;283:8; 289:15	phase (1) 151:24 Philadelphia (3) 54:21,21;228:13 phonetic (1) 105:5 photo (4) 9:22;121:23;122:10; 123:9 photograph (11) 77:6;123:2,3;160:11, 12:163:14;186:17,21; 237:20;263:2;287:2 photographs (1) 244:9 photometric (9) 112:7;168:5,8,19; 169:18;245:20,22; 261:14,23 photometrics (1) 204:6 photos (1) 10:3 phrase (1) 39:19 phrased (2) 39:16,22 physical (3) 49:11;110:7;168:2 physically (1) 92:18 physician (10) 87:10,14,20,21;88:5, 6,14,25;110:16;111:1 physicians (4) 87:7,8;89:3;109:25 physician's (1) 87:17 pick (5) 54:19,23;55:9; 108:23;253:22 picked (1) 90:12 picks (1) 153:10 pickup (2) 92:9;189:16 pickups (3) 90:9;92:12;93:23 picture (3) 77:6;236:16;237:18 pictures (2) 136:5;189:10 piece (2) 199:19;248:16 pieces (1) 275:25 pinos (1) 206:4 pinochle (2) 272:6,7 pipe (1) 235:9	piped (2) 125:22;222:22 pitch (2) 235:24,25 pitched (1) 238:19 itches (2) 277:19,20 place (4) 45:6;64:10;78:18; 171:8 placed (2) 23:18;171:8 places (3) 135:16;208:23;209:7 placing (1) 134:21 plain (2) 141:18;199:18 plan (130) 22:5;25:23;26:22; 33:16,17,19,20,24,25; 34:3,5,12,13,15,16,17, 19;44:20;46:11;64:20, 21;70:14,16,17,21,24; 71:10,17,18,22,23,24; 72:1,6,12,22;92:14,20; 100:9;115:8;117:15; 118:22;124:5;127:20, 21;132:6,14;133:2,10, 12,12,21;134:1,4,5; 140:4,5;141:7;143:16; 148:6,7,16;149:3,8,19, 23;150:2,4,6;158:8,9; 159:20;160:8;164:6; 167:17;169:19;172:2; 173:4,25;177:2; 178:11;181:7;183:12; 189:15;190:9;191:2,5; 192:2;193:12;194:5,8, 12,23;196:4;198:2,4, 16,18,22;199:2,5,17, 22;200:1;202:21,22; 203:8,25;206:7;213:5; 214:12,13;223:9; 230:16;238:9;241:5, 22;245:20;251:11; 256:5;259:2;263:17, 24;264:16;265:20; 266:11;270:11;285:6, 21;286:15 plane (2) 86:25;248:1 planned (2) 87:16;191:3 planner (10) 118:5;149:13;168:4, 8,14;171:4;175:25; 176:1;194:4;262:22 planner/landscape (1) 137:9 Planning (49) 10:6,7,8;14:16;15:2,	6,10,18;19:15;20:25; 22:19;23:19;25:12; 37:25,25;50:10;53:8; 55:11;117:10,25; 118:14;119:5,9; 124:17;126:10;127:15; 132:6;133:22,25; 136:4;148:3;159:6; 167:10;181:1;188:17; 194:1,3,5;198:13; 220:15,17;228:14; 236:20;237:10;246:21; 253:12;267:17;271:12; 290:24 plans (21) 9:24;34:14;52:8; 55:21;140:12,18; 142:20;160:7,10; 161:13,17;168:8; 180:6;198:9;200:4; 229:19;232:10;266:16; 282:13;285:3,3 plant (3) 139:20;269:13,14 planted (8) 79:3,6;80:3;262:20; 267:20,21;269:21,22 planter (8) 146:8,9,16;147:1,3; 199:5,6;266:6 planters (2) 135:17;146:7 planting (8) 124:5;135:5;177:8; 216:18;243:17,20,25; 266:5 plantings (13) 135:4;145:8,10,23; 149:15;150:18;166:24; 169:10;210:24;216:25; 221:11;262:22;286:17 play (2) 155:8;272:6 played (1) 208:20 playing (3) 63:7;272:6,7 please (28) 5:18;6:10;27:22; 29:8;40:17;41:6,9,18; 82:9;95:20;97:6; 104:13;111:6;116:25; 117:3;122:1,17; 172:22;184:10;188:24; 225:1,7;226:15; 252:13;256:15;260:20; 261:22;284:8 plots (1) 135:16 plumb (2) 100:16;270:14 plus (4) 139:12;197:16;	210:3;215:21 pm (8) 50:14;84:14;86:22; 90:14;92:10;106:2; 253:17;292:25 Pods (1) 231:4 point (84) 17:22;19:12,25;23:1, 20,23;24:5,17,18;28:9, 12;29:2;30:2,4,6,7; 31:25;35:6,24;50:9; 53:6;65:19;67:15; 73:18;74:9;78:8;96:3; 99:5;104:11;107:22; 109:12;123:13;129:23; 131:13;134:25;136:10; 144:23;145:4,11; 152:24;153:23;154:8, 11,20;155:7;158:14; 161:25;162:16;176:7; 177:20;178:12;195:6, 13;196:23;197:23; 201:14;202:19;214:22; 216:17,20,21;222:23; 223:17,18;237:25; 239:2,4,22;240:7,12; 253:20;263:8,9,25; 265:9;266:4;268:20; 272:12;273:17;274:22; 276:11;278:9;282:23; 284:15 pointed (4) 30:20;146:18; 160:12,12 pointing (15) 75:14;76:22;77:13; 79:13;103:6;138:9,18; 160:10;162:4;163:11; 185:9,14;194:7;224:7; 260:6 points (7) 10:12,12;23:11; 24:16;153:9;263:15; 285:24 pole (4) 173:8,10;205:1; 209:4 poles (6) 123:18;129:24; 203:19,21;204:11,19 pond (1) 267:9 pool (2) 26:11;115:4 porte- (1) 232:11 Porte-cochere (4) 245:4;246:21,24; 255:6 portion (39) 123:20;124:11; 129:20;131:17,18;
---	--	--	--	--

135:18,22,24;142:2,5; 143:2;151:8;152:2; 153:23;156:11,18,19; 184:19,22;196:12; 199:17;203:15;213:25; 219:14;233:6,6; 235:22;238:17,24; 239:9;243:9,11; 250:12,13;271:17; 276:5,6,7;279:16	20:2,18,20 prejudicial (1) 17:15 preliminarily (1) 16:7 preliminary (16) 8:17;10:17;11:7,23; 12:5;19:5;30:3;34:23; 40:1,3;133:1,21,25; 134:3;214:19,23 prelude (1) 111:8 premised (1) 26:7 prep (1) 106:22 preparation (1) 163:22 prepare (3) 182:7;236:4;241:13 prepared (5) 90:22;91:3;140:21; 163:3;229:19 preparing (6) 49:10;94:11;106:15, 21,21;164:19 presence (1) 194:10 present (6) 5:24;28:4,16;170:23; 176:4;240:8 presentation (9) 26:6,18;27:17;28:9; 197:23;236:11,15,20; 237:7 presented (3) 29:5;194:23;237:10 presenting (3) 7:7;25:3,8 preserve (1) 66:1 preserved (1) 278:20 president (6) 6:23;7:6;41:19; 56:23;254:13;255:2 presumably (1) 274:18 presume (5) 21:9;72:5;77:4; 122:21;163:11 pretend (1) 30:21 pretty (11) 8:20,25;19:1;23:4; 64:7;66:20;159:5; 160:2;211:11,21; 288:19 preventive (1) 105:6 previous (11) 31:14;35:12,14; 36:18,19,25;37:1;	39:13;234:2;246:18; 266:3 previously (7) 225:13;227:16; 233:11;235:24;238:18; 246:9;247:16 primarily (1) 131:2 primary (1) 177:13 Prime (1) 82:17 prior (8) 21:6;72:11;118:13; 226:19;229:8;251:24; 253:12;287:4 privacy (11) 63:15;87:10;135:1,3, 7,11;138:1,3;145:25; 199:10;283:16 private (7) 42:5;60:2;66:9;87:8, 12;110:16,24 privately (1) 89:8 probably (27) 17:17;20:14;26:4; 40:21;48:24;65:20; 66:7;70:9;72:18;75:3; 82:12,24;84:25;92:22; 99:24;100:10;103:22; 109:4,23;134:22; 145:18;147:6;186:10; 188:5;205:13;217:25; 230:5 problem (7) 20:19;22:21;102:11; 137:21;143:19;178:14; 230:15 problems (1) 93:1 procedure (4) 87:3,18,19;88:4 proceed (5) 40:15;41:14;57:6; 117:6;225:10 proceeding (4) 12:8,9;15:6;60:21 proceedings (4) 8:18,24;11:17;23:5 proceeds (1) 65:22 process (7) 22:24;74:23;127:21; 146:19;164:8;253:21; 254:16 produced (2) 168:16;187:2 product (2) 95:8,11 profession (1) 249:1 professional (9)	41:22;168:25; 225:25;226:9,13; 251:17;252:13;270:13; 289:19 professionals (2) 159:24;162:2 proffering (1) 140:11 profile (3) 15:14;62:23;239:7 program (4) 105:5;128:13;249:4; 257:10 programmatic (1) 233:20 programs (1) 46:19 progressive (1) 105:17 prohibiting (1) 179:17 project (14) 46:11;50:17;127:19; 128:13,13;129:12; 140:18;158:1;227:1,2, 23;228:3;247:25; 285:18 projection (1) 246:8 projects (5) 226:8,8,24;278:12; 283:10 promised (1) 283:20 proof (1) 249:25 proper (3) 27:21;29:19;93:8 properly (3) 20:4;45:4;63:13 properties (9) 13:21;78:22;80:25; 127:4;130:4;166:13; 170:11;175:8;248:20 property (175) 5:9;6:4,9;10;11:17; 17:4;26:25;27:12; 29:19;35:13;37:19,21; 38:11;45:10;47:1,1,2,3, 6;51:3;52:9;63:4; 77:20;79:7,9,22,22; 91:23;94:12;118:19, 23;121:1;124:9,19,25; 125:23;126:25;129:24; 130:12,12,22;131:5,10, 11;134:16,17;135:1,2; 136:2;137:5,12,16,25; 139:6,8,8;141:10,16, 18;145:4,9,13,13,14; 151:17,20;153:10,11, 21,23;154:6,6,22; 158:6;166:17;167:1; 169:17;171:22;173:7,	8,9;175:13,16,24; 176:4,6,7,12;177:17, 17,21,22;178:21;179:2, 12;180:17,22;182:6; 184:13,14;185:15,19; 186:6;190:13,14; 193:20,23;194:14,18, 19;195:3,6;196:13,24; 201:19;202:3,9,17; 204:3,19,21,22,24; 205:4,6,15,19;206:2; 210:23;216:8;218:16; 219:13;221:2;222:9, 10,14,23;223:21,24; 224:2;229:18;241:17; 242:13,19,20;243:16, 24;244:3;247:17; 255:11;256:1,4,8; 261:24;262:11,20,24; 264:20,22;266:4,13,14, 17,18,20;267:18;268:4, 11,23;272:4;281:1,2,5, 9,13;282:5 proportion (1) 233:16 proportionality (1) 233:17 proposal (5) 19:11;23:17;58:3; 148:20;207:6 proposed (69) 9:10,12;19:11;26:20; 27:10;28:18,23;31:4; 34:4,13;35:11;39:15, 24;55:22;68:6;76:25; 77:7,10;102:19;138:2, 4;140:24;154:21; 167:10,25;169:25; 170:8,17;171:5; 183:13;194:15;198:7, 8;199:1;206:9;207:23; 214:2,3,4,8,13,14; 215:11;217:3;218:10; 220:24;223:1;229:22; 238:12;241:17;243:2, 4,16,16,17,20,24; 248:7,18;250:20; 262:11;263:7,10,16; 265:10,24;268:19,22; 285:14 proposing (13) 47:8;139:21;145:24; 146:23;172:1;180:16; 198:17,18,23;203:9; 249:8,9,12 Prospective (2) 121:6;236:4 protect (5) 193:9;251:10; 267:12;268:2;270:14 protected (3) 134:23;179:19;243:5 protection (2)
---	--	---	--	---

45:2;204:16 protective (2) 208:9,13 protects (1) 124:12 prove (3) 31:3,6,17 provide (38) 16:12;38:2;44:2; 45:16,25;51:11,12,15; 63:13;85:15;86:16; 87:8;110:15,19; 128:18;148:7,9; 177:10;187:19,23; 191:14;220:13;229:5; 239:11;246:7,10; 248:4;250:24;268:15; 25;269:1,6;271:13,18; 283:11;285:4,10,14 provided (19) 24:4;100:3;124:17; 129:19;130:3;135:14; 148:19;152:10,11; 158:7;170:12;182:9; 235:3;242:1,2;243:4; 251:15;257:12;271:13 provides (2) 233:23;283:10 providing (7) 72:5;135:4;150:25, 25;220:7;232:16; 251:21 provision (7) 35:23;36:17,20,21; 39:11;118:23;251:20 provisions (2) 130:1;268:18 proximity (1) 175:12 public (8) 5:2;18:9;42:4,15; 158:3;230:22;232:24; 292:14 pull (5) 13:9;31:11;172:18; 195:14;283:18 pulling (2) 197:4;246:19 pullout (1) 217:10 pump (1) 113:12 purports (5) 13:17,22;17:11; 18:20;34:6 purpose (4) 72:25;178:15;183:4; 215:19 purposely (1) 57:7 purposes (4) 106:4;160:23;185:6; 199:24	purview (3) 61:11;169:6;173:19 pushed (1) 150:21 put (39) 9:9;13:24;18:6;38:8; 121:25;122:21,23; 130:1;134:13;139:9; 15,18,21,22;144:23; 146:25;161:20;164:14; 167:16;192:17;193:2; 11;199:6,25;200:1; 203:8;217:21;222:1,4; 230:10,10;234:2; 254:3,7,8;262:24,24; 272:21;284:5 puts (1) 93:8 putting (7) 83:9;138:21;139:16; 140:3;143:20,21;211:7 Q qualifications (2) 117:25;227:11 qualified (6) 56:5;117:9;225:13; 226:23,25;229:7 qualify (1) 125:1 quality (2) 44:2;249:3 quarreling (1) 35:16 quarter (2) 153:3;224:15 quarters (1) 184:13 queueing (1) 64:9 quick (4) 171:13;277:8;283:6, 6 quickly (5) 139:24,25;151:10; 152:23;217:2 quiet (2) 48:9;131:17 Quirks (1) 160:16 quite (18) 9:22;15:19;19:10; 20:2;52:18;119:7; 124:20;136:1;139:15; 145:14;147:9;148:12; 149:22;152:21;157:14; 171:2;195:11;266:10 quote (4) 272:21;273:1; 278:10,10 quoted (1) 71:8	quotes (4) 72:6;180:2;272:22; 278:8 R RA-2 (1) 167:12 radius (1) 192:5 raise (7) 10:10;11:7;41:8; 117:2;198:24;225:6; 243:21 raised (5) 10:13;47:13;54:11; 214:22;250:1 raising (2) 16:7;30:3 range (7) 64:15;65:3,3,4,6,6; 242:25 rare (6) 84:20,25;85:11,25; 89:5;111:2 Rarely (7) 51:24;105:7;111:2,4; 180:6,19;252:1 ratcheting (1) 109:10 ratchets (1) 109:6 rate (3) 63:25;139:17,23 rates (1) 64:18 rather (14) 52:6;56:14;89:1; 121:17;131:16,16; 145:17;150:19;151:10; 161:22;203:12;217:17; 236:11;248:3 RE-1 (1) 29:15 RE-2 (3) 5:13;27:11;29:15 reach (5) 24:17;87:21;151:13; 238:19;286:19 reached (1) 18:10 reaching (1) 21:1 read (12) 24:24;29:17;34:16; 71:22,24;122:13; 165:1;166:1,11;174:6; 220:1;248:16 reading (3) 22:9;32:12;72:11 ready (3) 16:3;91:16;106:19 real (2)	74:13,14 realistic (1) 27:16 really (43) 9:5;26:1;28:10,12; 31:20;33:22;34:23; 35:24;51:1;65:14;66:3; 74:19;84:18;101:7,9, 13;102:18;129:12,18; 130:16;133:8;135:12; 136:12;149:7;150:20; 151:22;157:8,23; 160:16;161:15;162:16; 164:9,12;166:22; 178:9;198:14;199:13; 204:5;214:1,11;219:2; 229:12;266:18 rear (7) 232:21;233:5,6; 242:10,13;243:8; 273:17 reason (11) 24:12;47:24;76:12; 81:5;95:8;98:24; 100:24;185:24,24; 203:14;287:12 reasonable (5) 17:19;21:24;66:22; 72:1,16 reasons (3) 47:4;142:19;150:15 reassured (2) 25:1,7 rebuffed (2) 18:13;19:9 recalculated (1) 198:2 recall (17) 20:3;70:19;95:2; 124:21;150:4;156:16; 159:9;176:19;182:25; 185:12;208:11;214:19; 228:25;231:21;267:12; 272:25;273:2 receive (2) 116:7;133:15 received (6) 14:25;19:5;53:8; 106:6;254:6;278:16 receiving (2) 50:1;247:16 recent (1) 117:13 recently (3) 13:8;117:12;132:6 recessed (1) 136:6 recharge (3) 177:24;180:11,19 recognition (1) 228:19 recognize (2) 31:13,13	recognized (2) 38:13;227:15 recognizing (1) 228:18 recollect (2) 19:23;185:11 recollection (1) 115:9 recommend (1) 290:7 recommendation (3) 19:16;148:7,12 recommendations (5) 38:1;118:22;148:13, 17;149:3 recommended (1) 55:11 recommending (1) 38:1 record (59) 5:19;6:12;10:6,9; 13:24;15:4;16:8;17:18; 18:4,9;19:18,19,20; 21:3,24;23:9,18;26:9, 18;33:17;40:2;53:9; 71:16;72:4;75:12,15; 76:5,20;79:19;91:13, 14,15,17;105:14; 111:19;112:8;115:22; 119:20;121:11;132:8, 11,17;147:20,22; 156:22;162:6;165:6; 214:18;216:11;224:16, 17,18;236:21;283:24; 284:17;288:1;291:24, 25;292:1 Recross (6) 217:17;221:13,15, 19;285:23,25 redirect (8) 115:12;216:2,4; 217:16;221:18;223:16; 282:15;283:4 redirected (1) 86:14 redo (1) 217:4 re-draw (1) 160:21 reduce (7) 105:21;150:21; 156:17;235:23;239:6; 268:8,9 reduced (1) 235:25 reducing (1) 156:20 reduction (1) 240:2 refer (2) 19:24;114:9 reference (5) 22:3;24:8;34:11;
--	---	--	---	---

71:16;261:11 referenced (1) 140:2 references (1) 34:11 referencing (2) 185:4;241:11 referred (3) 33:19;81:24;203:25 referring (7) 21:4;75:17;117:19; 120:23;257:24;263:21; 285:16 reflect (2) 15:7;72:4 reforest (1) 134:10 reforestation (1) 132:3 reforested (1) 132:2 reforesting (1) 134:11 refreshing (2) 12:2,4 refurbish (1) 204:25 regard (10) 27:11;148:2;157:3; 177:9;220:14,22; 221:5;235:18;261:15; 283:17 regarding (5) 54:12;118:4;227:10; 268:11;270:22 registered (1) 226:5 regular (3) 48:24;104:3;245:6 regularized (1) 104:15 regulation (1) 208:12 Regulations (3) 32:18;44:1,1 regulators (1) 43:19 relate (2) 29:6;69:17 related (4) 132:3;165:1;167:22; 186:2 relates (1) 193:24 relating (1) 189:4 relation (1) 116:19 relationship (6) 13:22;18:2;20:5; 87:13;164:10,12 relationships (1) 18:12	relax (3) 275:15,15,15 relaxed (1) 9:1 relaxing (1) 232:21 released (1) 198:2 relevance (5) 60:5,7,14,20;108:8 relevance (1) 129:1 relevant (12) 31:17;61:1;72:7; 74:7;102:4,8,18;103:5, 8,13;108:13;166:9 relies (2) 22:8;215:5 relished (1) 278:13 relocated (2) 208:8,13 relocating (1) 204:23 rely (6) 19:15;21:1;31:1,2; 32:17;250:5 relying (1) 31:17 remain (3) 33:12;44:25;247:1 remainder (1) 160:10 remains (3) 21:24;251:16,25 remember (8) 30:18;111:6;117:12; 175:14;191:23;205:20; 206:4;277:15 remind (1) 208:14 reminded (1) 128:22 removal (2) 50:6;253:19 removed (1) 181:23 removing (1) 134:11 render (1) 5:16 rendered (5) 9:21;77:2,5;238:2; 284:16 rendering (9) 121:4,7;162:18; 231:20;271:2;285:2,2, 9;286:14 renderings (2) 231:17;285:10 renovation (1) 32:14 renovations (1)	43:8 rent (1) 54:19 repair (2) 105:12;149:17 repeat (1) 270:16 repeated (1) 39:5 repeating (1) 176:23 repetitive (1) 92:7 rephrase (1) 193:2 replacing (1) 149:5 replies (1) 19:3 reply (1) 22:1 report (22) 5:16;10:4,4;15:10; 18:8;19:21;21:5,7,13; 22:4,9;55:21;133:12; 148:4;158:2;159:7; 181:20,21;236:9,19; 237:4,5 reporter (2) 8:23;15:20 reports (3) 22:2;23:4;29:17 represent (4) 243:18;247:20; 286:14;289:13 representation (1) 285:9 representative (5) 244:4,6;251:12; 252:6;262:17 represented (2) 123:16;240:19 reproduce (1) 119:14 request (9) 11:9;12:13;13:1; 17:25;18:7;176:2; 220:16;235:21;290:1 requesting (1) 14:11 requests (1) 18:4 require (8) 34:2;65:25;103:24, 25;104:17;116:17,21; 203:4 required (9) 116:14;132:4; 193:16,16,17,18; 208:14;217:8;250:24 requirement (9) 10:23;24:14;34:15; 136:1;169:15,20,23;	177:10;211:1 requirements (20) 9:13,14;25:13,15; 32:13;119:1;132:3; 157:24;166:18,19; 167:11,22,23;168:21; 169:14,21;193:17; 220:12;228:16;272:2 requires (4) 33:18;87:4;135:5,6 rescue (2) 158:8,9 research (1) 150:16 reside (1) 62:11 residence (28) 13:13;17:4;48:8,9; 76:6,11;79:23;124:10, 15;139:9;152:3,4,14; 153:10;154:3,23; 209:23;211:18,22; 219:9;238:25;242:12; 243:6,10,15;263:15; 265:9;285:17 residences (5) 29:14;211:13;231:3; 257:17;258:19 resident (9) 46:10;56:23;64:23; 87:13;88:10;89:1; 110:25;273:7,12 residential (51) 5:7;30:25;37:7; 42:17;46:20;98:18; 119:3;126:24;129:18; 130:4;136:3;145:16; 150:17,22;155:12; 157:10,10,11,25; 166:12;167:13;169:16; 170:4,24;171:1; 191:24,25;193:21; 203:13;204:5;211:10; 227:1;230:23;231:4,5; 232:16,21;233:3,4,8, 22,22;239:11;245:3,8, 13,15;247:14;248:4, 15;276:12 residents (46) 46:1,2,4;48:4;49:16; 51:11,16,23,24,25; 52:4,5;62:8,11;63:1,3; 65:8,12;66:15;73:13; 74:22;85:1,5;87:7,9; 106:14,25;109:25; 110:13;127:6;135:15, 25;138:10;150:23; 152:12;170:18;232:12, 20,22;233:1,24;249:4; 257:14;272:23,23; 283:14 residents' (1) 283:15	resident's (1) 88:6 resolution (8) 132:14;133:6,10,15, 23,24;165:16,20 Resources (5) 119:12;123:15; 124:4;184:6;194:6 respect (8) 22:15;74:22;101:17; 118:22;119:2;148:14; 177:22;288:11 respectfully (5) 29:18,24;34:1,20; 35:16 respond (13) 16:20;17:16,19,23; 19:2;20:7;22:8;30:10; 34:8;84:19,20;116:4; 129:2 responded (2) 215:9,9 responding (2) 16:12;32:22 response (5) 14:25;15:13;16:23; 162:14;163:20 response] (1) 221:14 rest (5) 243:8;272:20;288:6, 7;289:6 restricted (1) 253:13 result (1) 220:15 resulting (1) 112:4 Resume (4) 224:19;227:7;229:4; 292:15 retaining (3) 125:24;145:22; 179:15 retention (6) 146:5;147:1;216:19; 223:18;266:6;267:9 retire (1) 63:5 retirement (1) 63:6 return (3) 291:19,20,21 reversal (1) 106:25 reversed (1) 121:18 review (12) 18:14;28:21;42:16; 44:14;55:11;119:8; 199:24;225:25;226:15; 229:21;244:11;250:2 reviewed (3)
---	--	---	--	---

71:22;134:3;244:10 reviewing (1) 44:16 revisions (1) 22:18 rewrite (1) 130:2 re-zoning (1) 117:14 RHIP (1) 92:4 Rhododendron (6) 139:10,13;145:9; 178:4;269:22;270:23 Rhododendrons (1) 139:21 right (273) 6:1,5,9,15;7:1,8; 8:15,16;9:17;11:6,22; 12:12,19;21:19;23:2; 22:25;17,21;31:21; 33:5;35:5;36:15;37:3; 39:25;40:5,9,14,18; 41:3,8,9,13;45:14; 46:15,21;50:5;53:5; 54:8,21;57:17;60:12; 61:6,13,18;68:7;69:13; 13:73;6:20;75:4,7; 77:16;78:12;79:12,15, 18,18,21,24;80:6,19, 19,21;90:1,9,10,19; 91:12,16;93:14,15; 97:23;98:4,24;101:21; 102:3,24;103:1; 104:12;107:18;108:3; 109:14,22;110:17; 113:2;115:14,17; 116:2,24;117:2,2,6; 118:3,10;120:3,4,12; 121:5,15;122:8; 123:17,25;128:4,8; 129:22;130:17;131:5, 6,10;132:9;133:3,23; 134:9;137:2,7;141:2,7; 142:8,14,16,22,23; 144:7,25;146:8,9,10; 147:10,19,24;148:5; 152:7;153:2,6,11; 155:10;156:2,5; 157:20;160:11,17; 161:9,24;162:24; 163:9,17;164:5;165:4; 167:14;169:13,23; 171:11,25;172:5; 179:6;183:24,24; 184:14;185:13;188:6, 11;189:20;192:9,11,12, 15,15,20,23;195:9,15; 196:19;199:8;200:10, 23;201:22,23;202:15; 204:11;206:24;208:10; 209:11,19;210:3; 213:15;215:14,25;	216:20;218:2,16; 220:4;221:13,15; 222:6;223:21;224:1,3, 10,25;225:6,10;227:6, 10;229:6,14;230:4,19, 24;231:8,12;233:4; 235:15;238:5;240:21; 241:8;244:16,19,22; 245:17;249:19;251:3; 252:25;253:20;257:1, 6;258:22;259:1,13; 261:21;262:3,21; 265:11,14;267:10; 269:2;272:21;273:18; 275:6,8,10;277:10; 278:7;279:4;280:18, 20,23;281:3,3,4,9,9; 282:15;284:2,13,18,23; 285:23;287:10,10,17, 19,20;288:3;290:5,8, 22;291:12,19;292:4,6, 9,13,18 right- (2) 241:22;247:9 rights (1) 30:25 rip (1) 256:14 riprap (2) 178:12,15 risk (2) 23:16;161:22 Road (24) 5:12;6:14;41:20; 54:14;69:3;74:11;84:6, 16;127:7;157:1; 178:21;183:19;184:20; 190:1,2,23;191:8; 192:5,7;193:3,11; 236:5;237:19,25 roads (1) 127:6 rolls (1) 58:8 Roman (3) 199:3;230:8;244:17 Ronald (1) 6:3 roof (38) 99:24;154:11,12,13; 155:7,9,14,15,17; 156:9,14,15,17,18,20, 23;157:5;207:18; 209:22,25;231:6,13; 235:22;236:1;237:24; 239:3,5,9,10,11,12,20; 243:7;248:1,3,5; 251:16;276:6 roofs (4) 155:12;219:22,24; 238:19 rooftop (11) 231:5,13;234:17,25;	235:4;275:1,3;276:3,3, 13,15 room (10) 12:3;63:25;87:9; 115:5;232:15;233:1; 251:19;289:4;292:16, 17 rooms (5) 64:5;65:20;106:20; 231:11;283:11 rotate (1) 259:12 rough (9) 34:1,2,5,12,13,14,18, 20;233:17 roughly (3) 152:8;154:7;157:18 round (3) 86:16;188:15;218:4 route (4) 37:23;103:10,10,12 routine (4) 87:3;93:1,2;104:15 row (1) 44:4 Rowen (1) 42:13 rule (3) 106:4;111:21;122:25 Rules (3) 8:22;24:13,24 ruling (2) 24:17;39:10 run (7) 48:6;62:10;158:10, 21;173:12;204:6;205:4 running (3) 48:2;117:22;135:1 runoff (3) 176:8,14;218:17 runs (9) 124:8;134:25; 141:25;147:12;155:14; 190:1,2;205:5,6 rush (1) 108:24 rusticated (1) 249:11	salts (1) 218:11 same (32) 15:19;18:10;22:2,23; 29:16;37:19,21;55:5; 60:17;88:13;89:23,24, 25;101:20;108:2,4,18; 140:6;161:15;162:23, 25;186:2;187:14; 191:25;212:18;223:1, 5;232:1;236:16; 239:12;247:25;280:7 satellite (1) 262:15 satisfies (3) 35:12;36:17,24 satisfying (1) 272:2 Saturday (1) 67:23 save (3) 40:10;91:20;117:16 saw (2) 15:2;112:9 saying (47) 7:23;17:14;22:17; 25:6;30:24;35:7;38:25; 58:10,11;71:8,9;76:1; 103:11;134:2;144:18, 22;152:14;156:5; 181:15;184:1;192:10, 15;200:3,8,18;201:13; 204:8;208:19;211:1,5; 212:15;213:17,19; 222:25;240:7;245:12; 252:15;254:13,14,20; 255:4,19;259:21; 261:20;262:12;263:13; 272:25 scale (28) 14:12,17;18:23,25; 19:4,6;21:11;128:10; 153:14;178:24;195:8; 196:1,5;207:5;216:6; 242:25;245:3,8,15,16; 247:14;248:3,4,10,15; 263:4,17;265:13 scaled (1) 173:11 scenic (1) 47:4 schedule (7) 8:10;55:9;67:24; 106:11;107:5,6;139:20 schematic (1) 177:1 scheme (2) 37:17;38:22 School (8) 41:25;46:18;52:12, 13;68:5;126:23;127:5; 158:5 schools (1)	52:21 Science (1) 226:2 scope (4) 212:13;213:6; 215:17,20 Scouts (1) 52:22 screen (9) 146:1;206:1;250:18, 23;268:3,23,25;269:6, 25 screened (9) 75:8;77:24;80:25; 81:8;92:24;237:24; 243:6,12;245:11 screening (24) 19:12;129:13;130:3; 138:1,3,19;146:18,23; 157:24;167:23;170:13; 193:17;210:25;220:12; 239:11;243:4,8,13,14; 267:11,14;270:13; 283:18;285:13 scribbled (1) 142:11 sealed (7) 33:23;119:14; 159:19;251:16,24,25; 253:5 search (1) 20:6 searchable (1) 10:1 season (4) 187:15;285:7,8; 287:5 seat (1) 41:4 seating (1) 131:25 sec (1) 133:20 second (24) 33:15;52:14;66:11; 68:3;69:8;70:14;75:21; 101:2;133:17;140:15; 146:1;147:4;159:14; 160:14;184:10;208:8; 232:24;234:17;235:4; 240:4;245:5;260:23; 271:14;290:3 Secondly (2) 9:24;21:4 seconds (1) 277:6 Section (23) 5:5;13:10,17;14:12; 15:22;17:1;21:12;35:8; 141:8;152:11;154:16; 167:12,14;182:15; 201:1,21;209:24; 240:23;241:23;242:4,
---	---	--	---	---

9;262:7;264:6 sectional (1) 141:7 sections (2) 71:24;72:7 sector (1) 42:5 secured (1) 86:14 Security (1) 65:15 sediment (2) 22:5;25:22 sedimentation (1) 178:17 Seeing (4) 7:18;257:16;285:24; 287:13 seeking (3) 62:19,24;66:6 seem (4) 36:8;142:19;286:11, 12 seemed (1) 148:12 seems (7) 38:15;139:23;155:1; 160:18,22,25;164:2 segment (2) 37:19,21 segments (1) 37:20 selling (1) 65:23 sends (1) 235:9 Senior (35) 5:3;41:19;42:12; 43:7;45:25;46:13; 47:18;53:3;57:23;58:4, 9,12,13;59:7,9,21;60:1, 15;63:14,24;65:14,14; 66:4;70:16,18,24;71:2, 12;72:16;118:24; 148:7,18;171:7; 185:10;262:11 seniors (4) 5:8;47:17;65:15; 71:15 sense (13) 8:20;18:1;24:1; 37:13;101:18;106:6; 120:19;150:24;154:2; 161:18,19;191:25; 212:12 sent (9) 9:19;13:19,23;14:2, 15;22:10;38:14; 132:13;237:8 sentence (2) 72:10;97:9 sentiment (1) 57:1	separate (12) 23:20;26:13;34:15, 16,17;58:5,7,12,14; 59:16,24;245:4 separately (1) 125:12 September (4) 12:18;13:7;15:14; 17:25 Serenade (1) 64:3 serene (1) 128:17 series (1) 12:19 serious (1) 26:3 seriously (2) 12:4;38:4 serve (3) 248:23;278:10,16 served (2) 158:21;183:4 service (69) 16:12;51:10;68:9; 74:11;75:2,3;82:10,12; 84:6,16;86:16;88:11; 90:8;91:22;92:2;93:6, 7,8,16,20;94:23;95:11, 13,25;96:4,7;97:3,15; 99:9,17,17,21;100:3, 17;101:1,12;104:14, 16;105:8;111:13; 112:17;113:7;130:20; 151:4;158:17;159:2; 173:3,5;176:19,24; 178:21;183:10;190:1, 2,4,23,23;191:8,14; 192:5,7;193:3,11; 195:12;222:8;223:1; 224:5;256:25;283:10 services (20) 17:14;44:20,21;45:5, 7,17;46:3;49:9;62:22; 63:18;64:8,10,25;66:8; 68:3;106:14;110:14, 15,19;233:10 serving (2) 49:9;158:5 SESSION (3) 147:23;282:8;287:13 set (7) 37:17;40:2;63:22,23; 129:25;214:16;288:16 setback (1) 193:20 setbacks (2) 170:14;193:16 sets (2) 134:4;211:22 setting (2) 26:24;63:15 seven (16)	64:19,20;66:14,22, 24,25;67:19,19;68:1, 12;69:19;107:11,14, 14;109:4,6 Seventy-five (1) 63:1 several (12) 11:24;44:4;45:23; 52:16;119:4;120:16; 126:1;128:14;191:22; 199:7;249:19;278:1 severely (1) 221:2 sewer (1) 158:5 shade (1) 177:14 shades (2) 283:8,14 shadow (1) 31:3 shall (4) 241:4;291:19,20,21 shape (2) 71:11;231:15 shared (1) 177:17 shareholders (2) 60:3,4 shed (2) 184:5,7 sheet (2) 142:23;176:7 shift (11) 38:16;49:5,7,7; 66:13,16;67:5,8;68:13; 106:1,9 Shifting (2) 66:11;68:3 shifts (8) 48:25;49:1,3;67:3; 105:25;106:3,7;107:19 shingles (1) 231:7 shoes (1) 23:14 shopping (1) 51:21 short (1) 72:13 shortage (1) 70:22 shorten (1) 169:4 short-term (1) 45:19 shot (1) 167:2 shoulder (1) 144:8 show (21) 13:22;20:22;24:15; 34:6,17;99:14,15;	100:9;106:1;164:12, 12;205:3;243:13; 254:18;263:25;264:17, 22;282:9;283:20; 285:7,8 shower (2) 45:3;64:13 showering (1) 106:15 showing (16) 13:12;17:3;34:3,13; 122:21;200:7,7; 229:12;242:25;246:15; 262:9,10;264:6; 265:24;266:14;281:8 shown (23) 34:14;78:18,24; 123:1;130:25;136:21; 140:4,5;144:2;160:24; 164:9;193:22;238:8; 239:19;241:25;243:24; 245:2,6;250:7;251:11; 285:2,6;286:15 shows (14) 21:11;33:25;124:5; 152:8;164:3,10;177:8; 188:14;199:17;241:23; 242:4,10;261:24; 265:22 shrub (2) 178:5;210:13 shrubs (3) 177:11,16;178:8 shuttle (1) 54:19 side (54) 26:25;27:1;50:4; 70:3,12;74:11,24; 77:15,19;81:19;83:13, 16,17;89:9;94:14; 96:13,14;98:7;131:5; 136:7,18;159:2; 161:20,21;173:13; 191:3;192:4;193:3,3,9; 204:2,10,11;205:5; 206:5;210:9,10,14,17, 18,21,22;219:17; 243:15,16;244:2; 247:10,15;259:2; 260:1,4,5;268:6; 284:16 sides (15) 25:24;39:9;202:23; 203:5,8;205:4;210:15; 211:6,9;231:18,23; 245:12,14;267:18; 274:8 sidewalk (3) 68:23;173:9;204:14 sidewalks (1) 34:18 sight (4) 184:21;242:21,23;	243:2 sign (2) 10:24;133:1 signed (3) 116:18,22;159:19 significant (6) 13:2;15:1;78:20; 126:1;138:4;193:8 significantly (2) 72:14;238:21 signs (1) 64:14 silver (3) 105:9,13;245:10 similar (16) 19:21;47:19;121:3; 165:1;166:12,15; 170:16;231:2,20; 232:5,24;238:20; 239:5;247:24;277:15, 23 similarly (1) 216:14 simple (2) 19:14;23:4 simply (6) 19:10;60:8;61:8; 174:6;211:14;255:4 single (5) 169:16;226:21; 248:2,16;271:17 sit (1) 18:11 site (128) 5:9;13:10,10;14:12; 15:22;17:1;21:12;27:8, 13;29:13;34:3;36:18, 25;46:15,15,16;47:4,5; 54:13,14;56:11,24; 68:6;69:5;74:8;82:10; 85:18;103:20;104:1,2, 14,18;105:2;108:14, 17;109:16;110:16,19; 120:15,19;122:11; 123:19,19;124:3,6,11, 12,20,22;126:9,20; 127:18,20;128:13; 129:15,20,21,25; 135:18,21,23,24;136:9, 10,11,20;148:2; 149:10;151:8;154:3, 16;161:7,8;166:15,17; 170:3;171:5,7;172:8,9, 10,12,24,25;173:2,13; 175:7;177:21;179:3; 181:23;182:1,15; 189:15;190:8;191:2,5; 192:2;193:11;194:7, 15,18;203:15;206:11; 209:24;211:6;221:4; 228:12;231:1,1; 237:21;243:5;244:10; 246:8,8,11;250:12,22,
---	--	--	---	--

25;262:7,22;264:6; 266:22;268:8;278:1,2; 279:4;282:6;284:6 sites (5) 61:20,24,25;128:15; 150:24 sits (1) 130:22 sitting (5) 23:14;131:17; 238:11;253:6,8 situated (1) 138:7 situation (14) 19:11;35:14;63:13; 67:21;84:18,21,23; 85:7;87:20;94:17,18, 21;145:12;150:19 six (21) 135:9,10,10;138:19, 22;145:25;151:22; 199:9;200:11,19; 201:15,25,25;202:6; 207:3;223:25,25; 224:2;266:4,13;269:8 six-foot (1) 222:1 Sixty (4) 157:15,16,17;205:23 size (30) 40:19;47:5,24;51:7; 64:5;78:23;79:17;80:2, 7,8,9,10,23;81:7;83:2, 6;93:3;139:24;157:12; 191:16,19,20;206:9; 218:24;236:6;250:16; 267:20;269:24;274:21; 277:8 sized (2) 246:24;254:18 skewed (1) 144:25 skilled (4) 42:6;45:17;65:1; 70:7 sky (1) 174:23 slice (1) 263:6 slightly (2) 235:23;239:13 slippery (1) 38:8 slips (1) 152:22 Sloan (30) 115:18;116:24; 117:1,1,5,9,20;118:14, 18;140:2;147:24; 148:1;159:16,19; 167:9;169:25;172:7; 184:11;185:4,23; 186:1,4;195:4;196:7;	216:6;224:15;238:25; 244:10;266:15;268:10 slope (13) 145:15;190:3,3,5,8, 22,23;195:12;202:2,2; 222:13;235:22;239:22 slopes (6) 38:8;151:13;180:22; 193:9;222:8,24 sloping (2) 130:24;153:22 small (6) 47:17;99:21;125:4, 10;226:21;264:7 smaller (9) 62:9;122:6;173:11; 231:11;234:17;243:19, 23;262:19,23 smallest (3) 61:25;62:13;243:9 smooth (1) 249:11 snow (1) 68:24 snowstorm (1) 94:11 soccer (1) 52:24 Social (1) 65:15 socialization (1) 45:1 societies (1) 226:10 Sociology (1) 41:25 soil (1) 178:16 soils (1) 194:10 sold (1) 60:16 sole (2) 11:15,15 solely (2) 175:19,21 solid (1) 278:15 solutions (1) 166:23 somebody (15) 45:2;51:19;67:22; 93:7;97:1;107:4,5; 108:22;137:2,23; 168:5;221:25;222:4; 255:16;291:10 somehow (1) 39:16 someone (15) 64:25;73:14;81:24; 87:4,16;94:2,3,16,19; 108:18;197:18;243:1; 252:15;259:12;281:24	Sometime (1) 90:14 sometimes (7) 50:23;55:4;69:23; 70:12;82:22,23;103:10 somewhat (2) 156:17;192:10 somewhere (6) 86:11;139:19;162:4; 192:6,18;204:15 sophisticated (1) 102:22 Sorry (51) 5:6;75:13;97:7; 100:20;119:22;125:18; 127:25;141:12,23; 142:12;144:12;150:1, 7,9;159:18;180:15; 187:11,16;188:20; 190:11;197:22;198:24, 25;200:25;201:9; 204:8;208:3;213:1; 214:21;218:14;224:22; 228:25;237:2;239:3; 242:5,6,17;243:23; 244:18;245:19;255:22; 256:1;258:24;263:21; 270:4,16;272:23; 279:6;283:22;285:24; 286:7 sort (11) 64:22;123:2;126:4; 128:19;130:25;136:24, 25;150:16;157:21; 177:13;232:17 sorts (1) 188:18 sound (4) 68:1;268:9;275:8,10 sounds (4) 63:12;67:25;105:25; 106:3 source (1) 274:21 south (11) 75:23;76:1;123:20; 130:18;131:21,23; 159:2;166:17;173:12; 280:10,11 southeast (1) 129:21 southern (20) 77:19;98:6;130:16, 18;131:17,18;136:14, 16;139:8;142:2;143:2; 151:4;153:23;173:7, 15;190:16,20,20; 222:23;281:11 southwest (5) 123:20;124:9; 126:25;164:24;281:14 southwestern (1) 130:18	sp (1) 105:5 space (16) 135:13,15;151:6; 193:14,19;207:19; 223:1;232:14,19,25,25; 233:16,21,23;234:15, 16 spaces (13) 34:17;96:17,24; 97:16;129:14;135:21; 150:25;230:22;232:21; 233:10;246:10;257:2; 273:6 spacing (1) 201:25 speak (27) 7:18;18:24;40:24; 47:14;87:1;119:10; 128:21;129:15;140:20; 145:6;150:12;154:5; 170:5;176:5,15; 187:12,21;188:24; 197:14;218:13,18; 219:2;251:13;253:4; 257:10;275:14;286:20 speaking (5) 48:12;70:25;184:24; 198:21;246:13 speaks (2) 72:23;213:5 special (49) 9:4,5,14;26:7,12,13, 17,21;27:3,8,10,13; 28:5,16;29:12,18; 30:18;32:4,6,9;33:11; 36:4;37:11;38:12,19; 39:6,12,15;44:23; 149:2;164:21,25; 165:7;166:1,3;175:4,8, 19;179:8;182:2; 183:17;189:4;206:8; 212:12;213:6;215:5; 251:20;252:3;253:21 specialized (1) 110:18 species (9) 79:4,6,17;80:5,22; 81:8;139:1,7,11 specific (11) 9:15,17;51:17;92:22; 148:13;157:2;169:15; 175:13;177:10;193:25; 210:24 specifically (13) 16:19;17:22;24:23; 25:11;29:9;32:11; 75:15;102:20;130:2; 134:2;166:22;228:3,4 specifications (2) 105:10;167:18 specifics (1) 250:4	specified (1) 9:8 specimen (2) 126:1;132:5 speculate (1) 272:19 spell (1) 7:12 spend (3) 43:12;52:17;63:6 spending (1) 42:2 spent (4) 42:4;52:17;80:23; 119:4 spine (2) 229:24;230:23 split (3) 173:7;223:4,5 splits (1) 222:21 spoke (6) 169:2,3;202:21; 206:6;211:4;212:11 sponsor (1) 52:24 spots (2) 96:19,20 springing (1) 93:13 springs (1) 175:23 square (8) 206:11;207:3,7,11; 213:9;217:8,9,23 stabilize (1) 178:13 stabilized (2) 50:17;69:22 Stabilizing (1) 178:16 stacked (1) 292:24 staff (55) 7:23;10:4,5;14:23; 15:9,14,18;17:25;18:4, 7,8;19:15,21;20:25; 21:5,7,13;22:19;25:6; 31:8;37:25;39:21; 49:15,18;66:17,18; 67:12,20;69:6;105:4; 106:23;107:2,17; 126:10;127:14;133:12; 134:4;140:6;181:1,10; 191:15;194:1,3; 198:12;220:17;235:19; 236:3,9,19,19,21; 237:4,5,8;288:2 staffed (2) 48:11;67:15 staffing (1) 48:12 Staff's (4)
--	---	--	--	--

235:21;236:11,15; 237:7 stage (1) 30:3 stages (2) 86:12;235:2 staggered (2) 67:7;210:1 staircase (1) 151:16 stairs (2) 65:21;194:8 stamped (1) 33:23 stand (7) 39:1;119:12;146:5, 13,14;173:11;244:5 standard (1) 261:18 standards (11) 28:21;31:18;44:2,5; 105:16;167:11,20,20; 191:12;227:25;245:10 standing (11) 43:17,19,20,22,23; 44:6;45:2;243:1;259:7; 271:10;272:3 standpoint (10) 38:20,21,23;102:2; 211:19;240:11;241:3; 248:6,17;250:19 stands (2) 146:12;211:18 stark (1) 285:4 start (11) 30:16,24;32:6;51:14; 63:9;120:5,15;178:1; 209:20;239:22;266:16 started (3) 42:7;128:12;161:7 starting (3) 106:22;153:24; 222:23 starts (4) 49:19;67:16;130:24; 153:22 stat (1) 84:24 state (11) 6:11;41:6;43:21; 44:3;61:5;116:25; 134:23;213:14,18; 224:25;225:18 stated (2) 100:24;263:12 statement (7) 18:21;40:7,10,12; 51:10;70:15;106:9 statements (1) 40:6 states (2) 61:21;168:19	station (1) 55:7 statistical (1) 85:15 status (1) 43:20 statute (1) 179:21 stay (2) 107:4;288:1 Stays (1) 49:19 steel (1) 251:15 steep (3) 145:14;180:22; 277:19 steeper (2) 193:9;277:20 steeply (1) 238:19 step (8) 6:10;37:24;144:9,11; 151:5;231:9;257:20; 258:2 stepping (2) 156:13;248:1 steps (1) 258:1 Steve (1) 5:21 stick (4) 20:12;203:25; 221:17;266:2 sticking (1) 201:3 still (16) 20:17;33:12;51:25; 63:2;70:22;87:12; 142:8;147:8;148:25; 161:25;216:6;235:2; 259:16;266:2;271:18; 292:7 Stock (1) 42:14 stockholder (1) 11:16 stone (5) 249:10,10,17,20; 270:25 stones (1) 178:13 stop (10) 55:8;69:4;87:22; 98:22;147:4,11; 199:15;241:6;276:23, 24 stopped (1) 51:13 stopping (1) 147:8 stops (2) 54:14;205:8	storage (7) 82:14;83:10,22;84:3; 184:5,7;191:4 store (1) 94:13 stored (1) 182:25 stories (14) 151:6;156:14; 184:19;185:17,18; 207:12,24;219:10,12, 15;220:1;238:19; 277:19,22 storm (23) 26:22;31:7;126:3; 138:24,24;140:8,8,9; 145:5,22;146:19; 149:15;166:18;176:3; 179:16;180:10,15; 181:10;183:9,12; 199:14,15;218:19 story (8) 60:9,10;161:9; 184:21;186:14,14; 218:24;219:15 stove (1) 65:22 straight (7) 27:18;78:1;120:11; 126:18;167:1;187:19, 22 straightforward (2) 23:8;160:2 strange (3) 160:18,22;161:19 stream (30) 31:9,11;32:24; 124:10,12,13;125:25; 131:8;132:2;134:11, 15;153:25,25;177:21, 25;178:17;179:10,11, 18,19;180:7,16,20,24; 181:3;192:25;193:7; 210:18,23;216:22 street (5) 46:18;68:23;114:17; 221:9;225:20 stretch (2) 74:13,15 strict (1) 25:12 strike (1) 184:10 stringent (3) 166:18,19;169:20 strongly (2) 32:1;202:22 struck (1) 128:15 structure (22) 38:4;59:6;60:23; 120:20;130:13;193:4; 206:18,20;207:13,21,	23;208:15;211:7,8; 238:12;241:17;251:15; 257:21;260:24;265:10; 266:25;267:2 structures (4) 120:17;179:15; 206:25;242:15 structure's (2) 124:7;125:24 studies (1) 182:8 studio (1) 207:15 study (4) 111:25;112:7; 239:13,23 style (7) 150:14,16,17;170:4; 231:2;248:13;277:14 sub (3) 35:9;36:6,7 sub-exhibit (1) 237:4 subject (10) 5:9;8:21;27:12; 35:12;36:18,25;79:22; 118:18,23;250:22 submission (2) 17:24;126:12 submissions (2) 115:25;116:20 submit (8) 10:19;18:5;39:20; 53:9;132:7;140:12; 165:5;194:6 submits (1) 10:22 submitted (13) 14:16,17;17:24;18:2, 7;27:15;55:21;164:3; 187:18;231:19,20; 244:13;284:17 submitting (1) 180:6 Subregion (3) 71:18;72:16;118:24 subset (1) 34:12 subsidiary (3) 58:6,13,14 substitute (1) 39:7 successfully (1) 17:10 sudden (1) 63:11 sufficient (3) 20:1;168:24;271:11 sufficiently (1) 47:3 suggest (4) 39:22;69:15;70:24; 127:1	suggested (4) 39:21;127:9;140:8; 217:2 suggesting (6) 21:10;261:12,15; 288:18,18;290:20 suggestions (2) 39:18;203:8 suggests (1) 202:22 suit (1) 292:18 suitable (1) 171:5 Suite (4) 41:20;63:15;64:2,2 summary (3) 12:6;26:2;35:23 summer (2) 43:10;50:25 sums (2) 148:11,11 supervisor (1) 87:2 supplant (1) 27:6 supplied (1) 10:1 supplying (2) 68:8;70:10 support (5) 53:7,18,19;54:1,4 supportive (4) 46:3;63:17;64:6,8 supposed (6) 9:22;15:25;162:16; 288:22;291:1,3 sure (52) 8:5,6;12:15;17:23; 18:19;21:23;24:25; 25:14,24;30:14;38:6, 10,15,17,21;39:1; 42:24;45:3;48:4;72:25; 76:20;78:25;80:25; 105:19;129:4;132:10, 13;143:23;147:4,14; 149:8;155:21;169:11; 177:19;189:5;192:2; 198:16;211:21;215:3, 6;216:10;217:5;234:2; 237:9;241:19;256:16; 259:17;260:16;285:20; 291:16,22;292:3 surface (1) 124:7 surround (1) 47:3 surrounded (2) 211:6;253:6 surrounding (24) 31:16;45:11;46:14; 47:1;55:24;118:19,23; 126:12;152:6;161:4;
---	---	--	---	--

168:17;170:2,7,24; 171:6;214:3,15; 215:11;221:3;229:18; 238:22;248:9,12,23	surrounds (1) 141:20	survey (7) 20:5,6,13;242:3; 289:25;291:5,11	surveys (1) 44:4	survivability (2) 139:17,23	suspect (2) 28:9;37:21	sustain (2) 56:18;89:19	Sustained (1) 111:16	Suzanne (1) 7:5	swear (3) 41:9;117:3;225:7	sweeps (1) 177:23	swimming (2) 26:11;49:11	swing (1) 197:19	switch (1) 160:7	switched (3) 160:9,11;161:8	switching (2) 69:8;160:23	sworn (2) 8:21;59:3	symbolic (1) 249:1	sympathize (1) 208:22	system (9) 52:21;99:19;125:22; 234:23;235:1,7,11,14; 276:11	systems (3) 87:6;105:18;110:7															
T	talking (44) 13:14;16:23,24;17:7; 27:23,24,25;28:1;29:8; 34:12;36:3;39:12;41:2; 67:2;68:4,8;69:11; 71:1;80:24;82:1;92:3; 6;94:4;95:10,11,22; 107:8;110:5,5;114:15; 132:22;155:5,22,25; 168:10;169:14;187:13; 247:21;254:10;256:5; 264:13;267:1,19;274:4	Talks (4) 22:8;26:22;36:6,7	tall (9) 144:3,6;156:4;157:4; 209:3,4;239:1;246:14, 17	taller (3) 178:3,3;238:21	tangent (2) 192:4,5	tapers (1) 239:20	target (4) 22:21;72:1,1,16	team (1) 68:12	teams (1) 52:24	tease (1) 229:9	Technical (13) 10:4,5;19:15;20:25; 21:5,7;39:21;127:14; 140:6;181:1;191:15; 198:11;199:23	technically (2) 179:23;180:2	Technology (1) 226:4	telecommunications (1) 158:7	telephone (2) 204:19;209:4	telling (4) 16:8;276:24,25; 291:5	tells (2) 161:9;164:15	TELS (1) 105:5	tempted (1) 56:18	tenants (1) 272:22	tend (2) 239:21;278:20	Tennis (60) 5:10,11;9:11;26:8, 17,24;27:3,5,8;28:4; 29:6,12;31:2,5,9,13,15; 33:2;37:7;77:1;120:16,													
table (3) 24:11,20;207:8	tabulations (2) 167:17;172:2	talk (15) 18:11,12;23:6;44:21; 85:9;96:2,6;102:21; 105:1;109:9;126:9; 160:4;287:23,25;290:4	talked (7) 55:14;85:8;152:10; 158:2;220:6;273:14; 277:14	16,19;123:16,17,18; 124:1,2,6,6,8;125:24; 129:22;135:3;148:15; 151:9;158:12;179:9; 14;182:3;188:14,15; 189:4,7,11,17,18; 206:15,19,22;212:5,8, 16;213:10,12,18,25; 214:5,12;215:12	term (4) 39:11;105:13; 137:21;198:11	terminates (1) 21:25	terminology (4) 92:19;93:6,15; 137:13	terms (27) 24:20;28:5,17,17,19; 45:2;46:16;48:2;94:10; 150:13;157:9;166:23; 167:3;168:9;169:22; 174:21;199:23;207:2; 211:4;212:13,13; 214:11;233:23;238:13; 241:1;243:17;290:23	Terrace (19) 83:10,11,13;100:2, 10,22;101:15;104:19; 114:10,15,18,22; 209:25;233:9;234:15; 247:16;273:6;275:18, 21	test (2) 221:24;268:3	tested (1) 275:3	testified (14) 182:24;227:3,16; 267:16;268:5,11; 269:15;270:22,24; 279:9,17;280:21; 281:12;285:13	testify (19) 7:24;24:16;59:6; 60:10;79:16;92:22; 96:19;98:2;99:15; 126:3;219:19;265:16; 270:10,12;278:18; 279:5,18,18;282:17	testifying (2) 228:3,4	testimony (63) 6:18;7:4,7,8;1,10; 10:8;24:19;25:3;55:20; 56:11,17;78:17;78:4,5; 88:9;89:14;93:5,18; 106:6;108:4;109:12; 110:12;112:5;114:16; 115:20;118:13;159:1; 164:19;169:3;172:6; 174:24;175:18;176:20; 182:10;183:1;184:11;	185:12;191:10;196:7; 198:13,13;209:21; 212:3;220:7,19; 223:16;228:9;229:9; 234:3;246:18;250:9; 254:11,20;255:8; 266:15;267:8,11,22; 269:10,18;271:10; 273:25;278:7;286:2	testing (2) 221:21,23	Thanks (2) 30:15;255:1	That'll (15) 12:2;80:2;82:10; 83:3;84:6;91:23;95:25; 97:14;139:18;143:3; 252:21;253:15;267:19; 271:11;275:18	theater (3) 49:17;51:21;115:5	theory (1) 259:20	therapist (5) 110:3,8,10,18,20	therapy (4) 45:19;49:11;110:7; 115:4	thereabouts (2) 68:6;147:7	thereby (1) 235:8	therefore (2) 180:25;219:25	there'll (2) 135:3;270:25	Thinking (4) 105:17;161:17; 233:22;285:16	thinner (1) 167:2	third (5) 180:16;257:22; 259:23,24,25	though (6) 94:22;108:22;176:9; 180:1;217:11;274:23	thought (29) 11:9;15:4;47:2; 69:14;76:5;85:8;89:13; 137:14,15,18;150:8; 155:24;164:23;166:9; 167:5;168:5;184:4; 195:2;203:11;229:10; 255:25;258:7;260:5; 274:4;277:17;278:19, 21;284:4;285:14	thoughtful (1) 249:2	three (41) 20:14;43:10;49:2,3; 50:3,8,24;66:19;69:10, 10,20;74:21;82:21,25;	89:18;90:12;92:8; 94:22;123:16;128:18; 131:19;142:22;145:16; 156:14;178:2;184:19, 21;186:14;196:15; 199:11;207:23;219:15; 239:15;253:17;258:1; 262:13;273:16;277:8, 22;291:4,4
	three- (1) 218:23	three-quarters (1) 153:4	three-story (5) 184:16;211:7,8; 238:16;277:21	throughout (10) 108:4;129:17; 146:11;226:7;231:14, 22;232:2,6;247:24; 268:5	thunder (1) 262:6	Thursday (2) 16:19;289:10	tie (1) 178:9	ties (1) 202:17	tight (1) 8:10	till (2) 50:17,18	tilted (1) 161:22	timeframe (1) 90:16	timely (2) 19:18,19	times (14) 50:3,8;69:25;70:10; 82:21,25;84:10;89:18; 90:12;92:9;146:2; 251:16;253:17;278:1	timing (4) 20:13,17;25:13,23	tip (1) 134:25	today (32) 5:25;6:15,17;7:18, 24;8:6;9:25;16:4,6,6, 15;17:16;20:18,20; 21:25;25:11,16;125:1; 130:8,9;214:24; 240:19;241:6;243:14; 250:5;254:20;277:11; 287:11;291:2,3,9,20	together (1) 211:16	token (1) 88:13	told (4) 93:22;111:6;189:20;															

290:25 took (6) 130:15;132:3;151:3; 182:21;262:5;263:6 top (19) 72:15;76:1,18; 121:17;138:23;140:8; 157:4;164:4;199:6,14; 200:14,19;209:22,25; 233:5,8;239:2,4;243:7 topographic (2) 242:1;263:18 topography (2) 152:5;231:1 total (4) 67:17;193:14; 242:15,17 totally (2) 71:2;162:6 touch (1) 166:8 touched (1) 46:9 toward (6) 49:16;106:24; 145:23;222:9;243:2; 255:25 towards (21) 75:24;78:4;106:23; 123:19;130:24;137:4; 24;138:10;154:6; 160:13;164:4,11; 176:16;184:9;190:12; 13;237:21;247:17; 261:14;278:7;289:18 town (5) 47:17;51:13,13,14, 15 towns (1) 211:13 track (1) 226:22 tradeoff (1) 214:11 traditional (1) 211:11 traffic (20) 23:18;26:19,20,21; 27:25;28:20,25;29:1,9, 10;31:19;32:12,17; 68:15;96:18;149:9; 158:4;197:6,9;214:7 train (2) 54:22;89:13 transcript (2) 8:23;15:6 transit (2) 54:17;55:2 translate (1) 217:11 translates (1) 161:11 transmission (1)	268:9 transport (8) 70:8;85:2,3,4,5; 87:25;88:10;94:21 Transportation (3) 28:21;51:22;149:13 transported (1) 89:2 trash (44) 50:6,15;69:10;90:8, 12;92:6,9,12,13,18,24; 93:23;95:23;98:11,23; 99:6;111:11;141:21; 143:9;144:1,12,15,16; 179:6;189:16,19; 250:1,7,18;251:12,15, 24;252:21;253:10,11, 13,15,16,19,22;254:1, 3,7;282:5 traveling (1) 98:23 treatise (1) 268:21 treatment (1) 231:22 treatments (1) 283:12 tree (3) 124:17;149:15;178:7 trees (48) 78:17,19,20,21,23; 79:2,5,6,17;98:17; 124:18;126:1;132:4,5; 134:21;146:18;177:11, 11,14,14;178:1; 186:21;187:13,14; 193:8;205:25;210:14; 237:22;238:4;243:19, 23,25;244:1,4,6; 262:10;283:20;284:5, 19;285:5,5;286:4,8,10, 11,12,16,17 triangle (5) 126:20;158:14; 160:25;163:5;224:7 triangular (1) 135:24 tried (3) 16:9;262:16;288:3 trim (1) 231:6 trips (2) 51:20;149:10 truck (21) 70:2;82:16,23;83:3; 98:11;99:21;101:8; 102:2,8;104:17;146:2; 191:13;195:14,15; 197:3,5,15;220:6; 253:11,13,15 trucks (12) 55:15;83:6;92:6; 111:11,11;158:11,22;	159:1;191:17;195:10; 197:15;253:22 true (3) 84:18;85:7;102:8 trustees (1) 42:13 truth (9) 41:10,10,10;117:3,4, 4;225:7,8,8 try (10) 22:20,22,24;52:10; 53:3;102:17;134:22; 220:8;247:23;286:9 trying (33) 13:9;16:4;17:13; 21:17;22:9,10,14;35:1; 38:15;52:2;54:13;60:9, 17,22;61:8;68:24;69:9, 16;80:18;93:19;95:24; 100:16;109:9;154:1; 164:1;178:9;195:10; 213:16;215:17,19; 220:9;262:21;263:1 tubes (1) 45:22 Tudor (3) 231:2,5;277:16 Tuesday (2) 67:23;290:9 turn (11) 18:16;98:12;158:13, 15;159:5;177:1; 194:22;197:14;208:8; 246:23;257:13 turnaround (19) 130:13;139:7; 140:24;141:1,17,21; 158:14,23;159:9; 179:5;183:22;194:23; 198:1;199:1;246:23; 266:8,12,17,23 turned (1) 120:11 Turning (5) 70:14;131:15; 189:15;208:3;209:19 turnover (2) 50:20;69:11 turnovers (1) 69:16 turns (2) 77:24;146:2 twice (1) 114:6 two (64) 7:21;19:3,23;21:11, 22;23:11;26:5;37:18, 20;43:11,11;47:15; 50:3;51:1,25;55:8; 64:3;67:3;69:17;74:21; 88:5;123:8,17;127:6; 128:17;131:19;138:22; 145:19;151:6;153:21;	155:13;185:18;186:13, 14;195:13,18;196:8, 15;205:4;207:15,16; 209:7;211:6,9;219:12, 25;227:15,17,18; 238:18,18;244:12; 269:13;274:8;277:8, 18;278:5;283:6;288:9; 290:10,21;291:4; 292:10,11 two-step (1) 164:8 two-story (2) 232:14;276:6 type (19) 9:15;22:22;26:4; 29:22;62:19;66:8;79:2; 103:25;104:16;105:3; 183:16;191:13;274:21; 276:14;278:14,15; 281:15;283:7,10 types (12) 62:22;79:5;85:13; 94:22;103:23;104:10, 13;173:17;177:12,15; 226:7;249:13 typical (10) 48:6;131:22;145:15; 180:24;220:24,25; 221:7;276:12,14,14 typically (15) 51:23;70:1;139:12, 14,18,22;151:24; 166:24;180:8;182:8; 191:24;219:25;221:4; 246:17;283:9 U Uhre (141) 6:9,11,13,13,17,21, 25;7:19,21;8:4,11;6,8, 18;12:14;22:17,23; 23:10,12,22,25;24:21; 26:19;29:11;31:24; 32:1,11,21,22;33:15; 34:24;35:3,7,19;37:14, 16;53:12;57:17,19,21; 59:8,13,18;60:8,15,22; 61:3,13,17,19;62:18; 71:6,21;72:9,22,24; 73:1,4;118:3,6;122:12, 16;132:16,21;144:12, 17;165:14,16;188:8,10, 13,22;189:2,24,25; 190:7,15,18;192:11,14; 194:24;197:2,22,24,25; 198:6,25;200:17; 201:12;202:7,20; 203:3,6;205:24; 206:16,19,22;207:1; 208:6,10;209:12,18; 210:8;212:25;213:3,	11,19;215:16,23; 216:1;221:13,14; 227:12;230:16;255:25; 256:10,11,13;258:12; 264:9,19;275:12; 277:5,7;278:24,25; 279:2,6,10,19,22; 280:6,15,17,19,25; 282:11,14;287:8,9; 292:6,11 Uhre's (2) 12:25;13:4 ultimately (2) 157:2;249:18 Um- (1) 80:25 Um-hmmm (18) 10:16;59:20,20;67:1; 74:25;77:12;78:5; 93:21;97:19;109:24; 111:4;113:5;154:24; 165:14;262:8;264:2; 267:13;269:4 unassisted (1) 71:3 under (25) 5:5;9:3,6;24:13; 28:19;36:10,12;39:14; 41:10;43:10,11;61:23; 117:4;131:13;134:4; 148:6;149:8;177:12; 179:20,20;183:8; 200:4;225:8;227:3; 245:4 underground (7) 94:6,9;95:5,17; 96:20;103:22;113:20 underneath (1) 136:25 understands (1) 169:14 understood (14) 18:3;66:12,14;67:17; 68:10;69:12;114:17; 125:18;154:4;172:22; 209:21;211:17;215:6; 262:12 undue (4) 170:9,15,17;248:18 undulating (1) 177:13 unduly (2) 103:14;168:17 Unfortunately (1) 272:11 uniformity (1) 285:8 unique (5) 175:3,6,11,14;211:6 Unit (2) 64:3,4 units (26) 47:11;64:5;70:19,23;
---	--	--	---	--

71:10;72:2,13,15,17; 86:12;148:9,18,24; 171:24;172:1;217:12; 232:23;233:3,4,8,17, 22;234:17;266:5; 272:6;276:13 University (4) 41:24;42:1,13;226:3 unless (4) 17:15;25:20;134:2; 160:24 unloaded (1) 82:24 unprecedented (1) 37:11 untouched (1) 284:3 unusual (1) 221:3 up (113) 15:7;20:20;24:15; 39:2;40:16,20,21,24; 49:20;50:25;51:4,5; 54:20;24;55:9;58:8; 60:8;63:19;67:15;86:5; 90:12,23;91:1;106:1, 14;107:4;108:23; 109:7,10;113:8; 120:11,12,14;122:19; 126:18;130:22;131:13; 135:13,18;136:7,22; 142:5;144:9,11; 149:23;150:15;151:3, 14;153:10,15,21; 155:13;156:13;157:19; 160:9;161:11;162:21, 21;164:1;165:12,15; 177:23;187:5,14; 188:15,18,24,25;189:7; 192:25;194:7;195:14; 196:12;197:3,4,10; 201:3;207:20;208:23; 209:10;211:22;214:19; 215:18;220:18;221:1; 222:1,4,20;223:12; 224:1;230:11;231:7, 10,12;232:12;233:7; 238:19;248:1,3; 253:22;257:21;258:1, 2;271:8;279:3;282:12; 283:18;287:15,17; 288:5;291:4;292:5,24 update (1) 33:22 updated (2) 33:21;280:4 upon (11) 19:15;26:7;27:4; 29:22,23;85:16; 100:15;181:21;183:24; 215:5;269:7 upper (2) 65:11;66:7	upside (3) 76:8,9,13 upstairs (1) 84:2 Urban (1) 226:12 usage (2) 214:7,8 Use (155) 5:4,5;9:3,6,6,9,12,16; 10:3,3;20:3;26:21; 27:2,5,7,12;28:18,23, 24;29:6;31:4,18;32:4, 10,13,14;33:20,24,25; 34:4,19;35:10;38:2,12; 39:8,15,20,23;54:17; 55:2,23;56:14,15; 65:21,22;66:4;68:9; 70:2,2;74:24;77:7; 81:10,23;82:3;83:3; 89:8,15,90:17;92:19; 93:9,19;94:22,23;95:1, 4,7,11,13;96:9;97:4,15; 100:17;102:19;105:4, 4,18,19;106:18; 110:20;112:4,17; 113:18;114:13,23; 126:11;136:3;145:21; 146:4;148:14;149:1,7, 23;150:2,4,6,20; 157:11;158:22;159:20; 165:1;166:21;167:11, 17,19,19;168:1;170:1, 9,9,17,21;171:3,5; 172:2;181:6,22;182:8; 183:15;191:24,25; 193:19;196:4;199:2; 203:12,13;211:10,15, 15;214:2,3,4,14; 215:11;218:11;220:24; 221:11;223:8;229:18; 234:6;240:1;247:2; 248:7,18,19,22;250:20; 257:1;269:17;272:23, 24;278:9,14;283:8,14; 292:15 use- (1) 157:11 used (24) 34:1;51:12;81:19; 86:2;89:15,16;93:7,13, 22;97:4;105:13; 113:18,22;114:6; 182:2;183:10;229:9; 230:2;231:4;242:3; 245:6;246:18;285:21; 289:4 uses (33) 9:15;29:18;30:16,19; 37:18,20;45:12;89:21; 90:2;96:4;99:9;111:13; 119:2,3;130:4;135:20; 149:5,6;157:10,10,25,	25;164:10;167:13,15; 170:15,22;191:22; 193:21;213:7;215:20; 221:3;235:7 using (20) 31:11;51:19;68:17, 17;75:1;82:10;94:1; 96:6;97:14;108:14,14; 113:20;114:12;127:20; 136:3;159:2;197:19; 234:5,7;247:25 usual (1) 180:23 usually (31) 8:8,11;24:12,14; 50:21;52:1,6;56:8; 62:25;63:2,8;65:17,22; 66:10;70:5,7;74:23; 76:18;81:18,22;85:3; 86:13;88:22;94:18; 99:20,21,22;100:4; 104:23;110:6;214:9 utilities (1) 142:3 Utility (2) 141:19,21 utilize (4) 84:16;111:1;183:20; 246:21 utilized (2) 87:4;90:8 utilizing (4) 84:6;104:14;114:21; 231:8	vary (1) 231:15 vegetation (16) 124:19;243:12; 262:9;267:11,19,20; 268:3,6,15,22,25; 269:7;270:14,19,21; 285:17 vehicle (2) 104:1,18 vehicles (12) 96:7;99:16;101:16; 103:19;108:14;111:12, 12,24;112:4;113:21; 158:12;275:22 vein (1) 170:16 vendors (1) 52:17 version (9) 125:3,4,10,19;141:2; 142:10;280:5,7;284:7 versions (1) 19:23 versus (3) 152:2;213:12;233:21 vertical (11) 14:11,19;151:14,14; 201:3,16,19;202:3; 231:15;263:4;273:23 vertically (1) 145:17 via (1) 54:14 viability (1) 47:25 viable (2) 48:5;62:12 vibrancy (1) 46:14 Victor (1) 284:23 view (26) 19:12;120:18,25; 121:20;123:4;130:10; 141:7,7,18;157:4; 160:8;162:25;163:1; 164:7,11,11;186:23; 199:18;205:22;232:20; 237:19;243:5,6;278:9; 284:3;286:13 viewed (1) 212:15 views (2) 46:17;262:16 VIKA (4) 22:8;142:19;181:21; 238:9 VIKA's (2) 22:4,4 Village (1) 117:14 violate (1)	261:17 Virginia (4) 225:20;226:3,5; 228:23 virtually (1) 27:17 visibility (4) 140:7;157:1;220:9; 221:5 visible (12) 137:5,15,17,21,25; 138:5,15,17;211:24; 221:6,7,10 vision (4) 242:25;268:4,23,24 visit (1) 87:7 visited (3) 128:14;135:16;278:1 visiting (3) 86:19,22;150:24 visitors (1) 170:18 visits (2) 104:10,14 visual (7) 194:9;248:4;268:25; 269:6,25;271:13,18 visually (1) 194:14 voice (1) 243:21 voir (1) 117:22 voltage (1) 112:6 volunteer (1) 251:4
		V	W	
		V- (2) 173:6;284:23 valley (25) 31:9,11;32:24; 124:10,14;125:25; 131:8;132:2;134:12, 15;153:25;177:21,25; 179:10,12,18,19;180:7, 16,20,24;192:25; 193:7;210:18,23 value (1) 180:19 van (10) 51:18;99:22;113:3,4; 246:19,25;254:12,19, 23;255:7 variance (1) 9:6 varies (2) 201:4,20 variety (4) 49:12;226:6;235:1; 267:16 various (4) 10:11,12;86:12; 249:10	wait (10) 58:19,21;75:25; 163:23;217:13;229:23; 258:3,21;290:2;291:10 wake (1) 63:19 walk (2) 232:9;241:15 walkable (3) 158:17,20,21 walked (3) 194:6,18,19 walker (1) 51:20 walk-in (2) 84:1,3 walking (5) 68:22;69:3;150:23; 164:17;194:7 walkway (2) 173:12;197:17 wall (32)	

141:20;143:1,14; 144:1,3,3,15,21,22; 145:22;173:24;174:11, 14,19,20,22;175:1; 199:6,14,15,19;205:8; 221:11;234:14,19; 245:9;250:8,17;253:6; 273:22,24;274:6	walls (6) 125:25;179:15; 249:7;268:7,11,15	wane (1) 67:16	wanes (2) 49:18;107:2	wants (6) 22:19;39:10;61:5; 160:4;273:3,7	wash (3) 100:4,6;104:23	washer (1) 100:6	washers (2) 104:21,22	washing (2) 100:18,22	waste (1) 164:1	watch (1) 40:23	water (26) 26:22;31:7;125:21; 126:3;138:24;140:9; 145:5,5,22;146:19; 149:15;158:5;166:18; 176:3,14;181:10; 183:9,9,12;194:10; 199:14,15;218:17,19; 235:7,9	way (66) 5:6;8:20,25;15:17; 16:9;21:15;24:21;25:2; 28:22;29:10;30:23; 31:17,22;34:16;37:22; 38:25;39:17,19,21,22; 47:5;49:4;63:11;71:11; 87:5;95:21;98:7,11,17, 21;101:22;102:15; 121:23;130:12;135:2; 136:10;138:7;142:22; 144:23;153:4;156:11; 161:14,15,16,17,18,23; 164:8,9;175:3;176:11; 180:8,16;185:1,25; 190:11;210:12;216:22; 221:1;241:6;245:25; 254:10,22;255:10; 261:17;270:24	ways (4) 47:15;142:22; 213:17,21	Web (1) 123:6	website (1) 8:24	Wednesday (1) 289:4	week (22) 15:3;16:4,18;22:6,9, 11;50:3,8;67:19,21,22; 68:2;82:21,25;84:10; 90:12;92:9;107:14; 123:8;253:17;289:6; 290:9	weekend (2) 292:22,23	weekly (2) 275:8,9	weeks (3) 20:14;163:18;291:4	weeps (1) 175:23	weight (4) 56:16,17,21;57:4	welcome (1) 145:2	welfare (1) 170:18	well-designed (1) 278:21	well-received (1) 251:1	well-run (1) 249:4	weren't (3) 52:14;176:12;228:2	West (32) 7:6,8;52:15;76:6; 78:4;79:13,13,15; 136:10;139:3,4;152:2; 162:5;193:21;255:11, 23;257:23;258:4,5,7,9, 12,13,15,16;259:3,8, 19;260:10;276:6,7; 281:12	western (19) 130:12,17;131:5; 134:25;135:22,23; 138:25;139:7;142:2; 143:2;151:4;174:5; 177:20;178:2;222:24; 250:11,12;273:17,17	westward (1) 184:1	wetland (8) 131:1,2,8;175:15,18; 176:11,17;194:11	wetlands (5) 124:13;153:24; 193:22,25;194:17	Wharton (1) 41:25	what'll (1) 274:12	What's (37) 13:25;21:17;22:10;	30:17;36:20,21;60:13; 62:13,14;66:21;73:18; 109:21;115:9;123:2, 25;135:7;145:15; 153:17,17;161:7,7,10; 175:2,2;185:1;194:3; 199:2;216:15,15,16; 230:15;233:17,17; 234:19;242:22;250:16; 266:20	whatsoever (2) 137:11;261:8	wheelers (1) 83:7	whenever (1) 208:20	whereas (2) 21:12;216:20	Where's (3) 78:10;128:2;165:21	Whereupon (1) 292:25	wherever (1) 245:7	white (2) 123:18;206:4	whole (15) 23:16,17;27:17;30:7; 31:2;32:16;37:17; 41:10;67:4;117:3; 128:24;152:20;225:5, 7;289:22	wide (2) 178:20;267:16	width (2) 157:17,19	Williams (1) 53:18	willing (1) 55:17	window (6) 104:21,21;220:3; 259:7;261:13;283:12	windows (17) 104:23;171:17,21; 231:5;257:16,17,22; 258:12,15,16;259:3,6, 19;260:9;261:11,13; 283:8	wing (1) 232:18	wings (4) 156:12;230:23; 231:9;233:4	wiped (1) 288:5	wise (1) 157:12	wish (7) 7:4;8:10,16;11:7; 40:6,7,11	wishes (1) 7:18	withdraw (1) 60:24	within (23) 33:4;46:15,22,23; 61:11;82:24;100:6; 123:7,7;124:13,18; 125:25;131:18;148:8; 169:6;172:11;173:13, 19;178:18;180:24; 184:21;224:2;257:17	without (9) 17:19;68:23;74:20; 121:4,7;134:5;189:11; 213:8;283:21	witness (309) 8:21;9:20;24:17; 25:4;40:15,17,21; 42:18;43:23,25;56:4; 57:7,18;59:5;62:16; 71:4;72:3,5;73:3;75:7, 8,13,18;76:10,21,23, 25;77:3,9,12,15,17,23; 78:3,5,12;79:12,15,20, 24;80:13,17;82:2; 83:17;89:10;90:4;91:7, 23;96:14;97:19,22; 98:4,8,10,15;102:22; 105:1,15;107:18,21,24; 112:22;113:25;115:16, 17,18;116:3,17; 117:21;120:5,8,10,14, 25;121:18,20,25; 122:15,23;123:4,6,11, 14;124:2,23;125:5,14, 21;126:8,15,17,20; 127:3,10,13,16,18; 128:4,7,10,12;129:11; 130:18;131:6;133:16; 134:9,15,20;135:9; 136:11,16,19,21,24; 138:3,13,17,21;139:4, 6;140:17,24;141:6,10, 16,25;142:2,7,11,23; 143:2,5,8,15,25;144:7, 14;145:3;146:6,8,15, 20,22;148:21;150:8, 11;152:4,8,15,18; 153:1,3,6,9,14,19; 154:4,10,14,17,19,24; 155:3,6,11,18,20,23; 156:1,4,7,10,21,25; 157:6,8,16,18,21; 159:22;160:1,16,20; 161:3;162:8,11,19,22; 163:1,5,9,12,15,19; 164:6;166:2,11;169:8; 174:2,4;177:8;180:5; 181:13,16;186:6,13; 188:25;190:17;192:12; 195:9,19,21;196:10,14, 17,25;199:4,9,13,18, 25;200:11,14,16; 201:9;202:15,17;	205:23;208:17,22; 209:15;216:18,24; 217:23;218:2,5;219:9, 12,16;220:17;224:20; 227:5,16,20,23;228:4, 8,11,17,23;229:2,4,14; 230:18,21;231:19,24; 232:1,5;234:13;235:6, 12,15;238:3,6;239:2,8, 17;241:22;242:6,9; 243:19,23;244:4; 245:2,15,17,19,23; 246:1;247:5,14;249:8, 16,19;250:12,14; 255:22;258:14,16,24; 259:6,10,13;264:7,20; 265:2,14,17,21;266:3; 270:16;275:4,14; 277:11;280:11;282:12; 285:1;287:12	witnesses (5) 6:6;10:12;25:1; 40:19;101:15	witness's (1) 118:4	Women (2) 63:1,1	wonder (1) 224:12	wood (1) 20:19	woods (1) 78:5	Word (13) 10:1;13:16;20:4; 27:6;37:5;86:3;89:15; 93:7,8,12,13;110:25; 211:16	worded (1) 21:15	words (4) 34:1;50:17;81:10; 238:1	work (31) 9:23;22:23,24;48:25; 49:4;55:4;57:8;67:22; 68:25;87:6;106:11; 107:5,5,6,14,15; 108:23;110:4,6; 129:18;130:20;140:6; 150:16;160:17;161:1; 175:24;189:5;211:16; 226:15,20;291:14	worked (15) 46:24;126:10; 130:15;131:17;135:6; 149:19;151:18;158:18; 181:16;226:6,17,19; 247:22;248:14;254:17	workforce (2) 68:19,20	Working (16) 42:5;119:5;128:12,
--	---	--------------------------	---------------------------------	--	-----------------------------------	----------------------------	---------------------------------	---------------------------------	---------------------------	---------------------------	---	---	---	-------------------------	----------------------------	-------------------------------	--	---------------------------------	------------------------------	--	----------------------------	---------------------------------------	-----------------------------	------------------------------	------------------------------------	-----------------------------------	------------------------------	--	---	--	------------------------------	--	---	-----------------------------	------------------------------	--	---	---------------------------------------	-----------------------------	-------------------------------	------------------------------------	--	--------------------------------	------------------------------	----------------------------------	---	----------------------------------	-------------------------------	------------------------------	-----------------------------	--	--	---------------------------	---	---------------------------	---------------------------	---	---------------------------	------------------------------	---	---	---	---	---	-------------------------------	----------------------------	-----------------------------	--------------------------	--------------------------	---	----------------------------	--	--	---	----------------------------------	---

CU 16-01
Brandywine Senior Living at Potomac, LLC

20;129:15;131:11,12; 134:10,20;151:2; 174:1;177:6,25;180:5; 198:12;230:25 works (3) 38:22;52:7;137:17 world (1) 102:1 worth (1) 282:16 write (6) 38:25;122:16;130:1; 230:11,16;234:11 writing (1) 200:10 written (1) 255:22 wrong (4) 244:18;255:15,16,19 wrote (4) 7:22;122:13,14,20	0 0.1 (1) 169:18 01 (1) 136:2 1 1 (11) 35:9;36:7;64:8; 108:24;147:7;202:4; 204:13;230:5;255:23, 23;288:21 1,200 (2) 217:8,23 1,250 (1) 217:9 1,500 (1) 68:5 1:00 (1) 48:10 1:45 (1) 147:12 10 (14) 66:24,25;69:15; 72:17;86:25;87:17; 88:15;89:3;108:23; 109:5;153:15;204:13; 246:16;292:7 10/21/15 (1) 14:15 10/28/15 (1) 14:18 10:00 (5) 67:9;106:17;107:6; 108:19,23 100 (3) 47:11;64:23;240:13 101 (1) 230:5 106 (1) 62:16 10800 (1) 5:10 11 (8) 125:2,19;141:2; 143:9;144:2;201:16; 204:13;284:6 11/25/86 (1) 166:10 11:00 (3) 49:6,6;106:12 11:30 (2) 90:25;91:2 11:40 (1) 91:11 110 (6) 48:20;67:18,20; 107:9,10,13 11th (1) 290:15	12 (11) 139:19;204:6,13; 235:24,25;264:18,19, 20;265:5,6;269:21 120 (2) 47:11;172:1 1289 (1) 166:4 13 (2) 126:14,15 130 (1) 167:2 132 (2) 242:12,18 14 (15) 43:8;141:20,24; 143:5,14,25;144:22; 173:23;174:11,14,19, 20,22;274:2,2 140 (7) 5:7;47:8,11;172:1,3; 217:3;218:7 145 (2) 218:5,6 145.7841 (1) 217:24 146 (3) 217:23,25;218:2 14-foot (2) 274:3,6 15 (7) 72:17;139:14; 178:25;179:1,2,5; 216:10 150 (1) 157:13 1501 (1) 117:18 155 (1) 242:20 15th (1) 12:18 16 (2) 236:15;237:14 16- (1) 255:6 160 (1) 148:25 16-01 (4) 5:4;118:19;229:18; 292:15 16-passenger (9) 51:18;112:12;113:1; 246:19,22,25;254:12, 19,23 17 (12) 32:17;125:2,19; 141:2;209:19;279:19, 20,21;280:2,3,5;284:7 18 (6) 83:7;211:23;225:24; 257:2;274:1,1 182 (1)	62:3 189 (1) 5:12 18th (1) 13:7 19 (1) 227:7 1986 (1) 165:24 1996 (1) 42:7 1A (1) 36:6 2 2 (5) 21:7;48:10;49:14; 109:3;204:13 20 (11) 21:5;72:14;82:24,25; 146:1;148:8,8;211:18; 216:12,16;271:8 200 (2) 70:22;283:1 2002 (2) 71:18;148:9 2014 (1) 130:2 2015 (1) 292:17 2020 (1) 72:14 20th (1) 128:23 21.5 (1) 144:2 24 (6) 45:23,24;48:11; 67:19;85:1;108:5 24/7 (3) 48:8;211:25;257:1 24-hour (1) 45:17 25 (1) 207:9 25th (1) 165:23 26 (2) 50:23;119:22 27 (8) 43:7;50:22,23;61:21, 22,24;86:5,7 287 (2) 242:10,17 29 (2) 14:5,25 290 (2) 282:18;283:1 29th (2) 13:8;15:17 2nd (2) 289:2,3	3 3 (9) 64:13;67:16;201:9; 202:4;204:13;291:12; 292:2,4,15 3:00 (6) 49:5,5,7;106:2,12,12 30 (12) 66:3;86:11,11;124:3; 139:12;153:14;195:7; 196:6;197:15;205:13; 208:6;277:5 300 (3) 70:22;148:22;225:20 300- (1) 152:21 301 (1) 208:3 302 (3) 255:20;279:20; 280:12 303 (1) 244:16 30th (1) 288:10 35 (1) 86:11 36 (8) 50:22;71:19;156:4,9; 157:4,13;207:11; 209:22 360 (1) 41:21 365 (1) 48:8 37 (2) 119:21,22 378 (4) 152:16,17;182:10; 211:21 37B (2) 119:21;120:3 38 (3) 71:20,25;72:10 380 (3) 152:8,13;153:24 386 (3) 202:10,15,16 39 (7) 12:21,23,24;15:16; 33:20;119:19;208:6 392 (1) 201:7 396 (4) 153:19;155:23; 209:25;211:21 398 (2) 152:21;153:20 39B (1) 159:17 3rd (7)
Y yard (6) 220:22,23,24;221:4, 6,7 year (10) 48:8;51:15;64:24; 72:2,17;86:6;148:10; 188:15;189:7;206:23 years (14) 9:3;44:4;46:5;63:7; 65:19;66:4;72:14,17, 19;119:4;148:8; 225:24;226:18;286:21 yellow (1) 163:5 yesterday (1) 162:13 York (2) 42:14;43:15 Yoskowitz (1) 54:1	Y yard (6) 220:22,23,24;221:4, 6,7 year (10) 48:8;51:15;64:24; 72:2,17;86:6;148:10; 188:15;189:7;206:23 years (14) 9:3;44:4;46:5;63:7; 65:19;66:4;72:14,17, 19;119:4;148:8; 225:24;226:18;286:21 yellow (1) 163:5 yesterday (1) 162:13 York (2) 42:14;43:15 Yoskowitz (1) 54:1			
Z Zone (18) 5:13;27:11;29:15,16; 30:18;31:1;157:13; 167:12,21;190:4; 191:2,7,16,21;192:3, 20;197:10,13 zoned (1) 130:4 Zoning (21) 5:5,15;9:3,13;28:19; 33:18;34:2;119:2; 167:12,15;169:15; 191:11;199:24;200:4; 208:11,25;209:6,17; 211:1;214:16;228:16	Z Zone (18) 5:13;27:11;29:15,16; 30:18;31:1;157:13; 167:12,21;190:4; 191:2,7,16,21;192:3, 20;197:10,13 zoned (1) 130:4 Zoning (21) 5:5,15;9:3,13;28:19; 33:18;34:2;119:2; 167:12,15;169:15; 191:11;199:24;200:4; 208:11,25;209:6,17; 211:1;214:16;228:16			

CU 16-01
Brandywine Senior Living at Potomac, LLC

289:2,10,11;290:8, 16,24;292:11	5:6 59-3.3.2E (1)	154:16;162:17,19; 177:6;182:19,21; 196:5;199:2;223:7; 230:5;234:8,9;240:16; 241:20;243:14;244:17, 19,20,23;247:4,9; 250:6;255:14;256:17; 257:17;262:6;266:3,9, 10;279:11,15;280:12, 14,15,23	63:9 91 (7) 133:5,16,18,19,24; 134:2,7 9-1-1- (6) 84:18,23;85:7,11,24; 87:25 92 (11) 50:19;69:14,21; 140:22,23;141:3,4; 198:1;201:4;274:9,10 92A (3) 141:2;142:25;143:12 93 (7) 165:13,13,15,25; 166:5;200:24;201:6 94 (8) 284:3,3,6,7,8,9,10; 287:1 95 (1) 69:24 98 (1) 125:8 9th (1) 15:14	
4	167:12 59-6 (1) 167:22 59-7.3 (1) 167:14 5th (2) 18:8,9	7th (5) 290:15,17;291:13, 17;292:12		
4 (6) 64:13;204:13; 244:19,20,21,21 4.02 (3) 5:9;29:20;217:21 4:00 (2) 107:6;224:15 4:45 (1) 241:6 40 (16) 48:22;65:18;67:2,5; 72:1,17;107:17,23; 108:3,4,17,18;109:1,7, 13;148:10 400 (1) 153:20 43 (1) 207:11 432 (2) 154:11;155:20 444 (1) 210:1 450 (2) 72:12,13 47 (2) 236:1;237:24 48 (5) 139:22;210:1,6; 239:1;269:22 4th (5) 289:2,8,9;290:14; 291:18	6 6 (15) 38:1,1;64:16;204:13; 244:19,20,21,21;247:4; 255:14,18;256:17; 257:17;279:13,15 6:00 (1) 106:17 60 (12) 109:18,23;154:7; 157:13;166:25,25; 185:21;195:5;196:24; 205:16,18;209:2 600 (1) 5:11 69 (3) 127:24;128:1,2	8 8 (1) 204:13 8.89 (1) 190:25 8:00 (3) 67:9;86:22,22 80s (1) 63:9 81 (1) 150:9 83 (2) 11:19,20 83A (1) 11:21 85 (2) 46:5;62:25 8513 (1) 6:14 86 (1) 62:25 88 (4) 10:25;11:2;201:5,6 89 (12) 14:1;53:12,13,18,18, 21,23,25;54:2,4,6; 115:20 8th (1) 291:13		
5	7 7 (5) 204:13;207:11; 235:25;292:2,17 7,000 (1) 207:3 7.3.1BK4 (1) 34:11 7.3.1E (1) 35:9 7.3.1E1A (1) 36:23 7.3.1K (1) 36:6 7:00 (17) 49:4,6,7;50:14,14; 67:8;84:13,14;90:14, 14;92:10,10;106:2,12; 108:19;253:17,17 74 (7) 132:24;133:4,8,22; 237:11,13,14 75 (9) 75:17,18;78:18; 121:3;255:18;284:16, 22;285:1;286:3 750 (3) 70:20;72:14;148:9 77 (1) 14:8 79 (44) 16:1;21:11;33:21; 150:3,4,5,6,8,11;	9 9 (3) 191:1;204:13;235:24 9:00 (1) 107:5 9:30 (3) 291:12;292:16,17 90 (31) 46:5;69:25;122:2,3, 4,9,10,14,15,18,20; 125:3,6,15,15,16,17, 20;134:12;142:25; 163:24,25;165:12; 185:9;186:16;187:5, 13;188:14;196:18; 200:24;284:18 90s (1)		
5 (10) 64:16;204:13;247:9; 280:13,15,16,17,18,23, 24 5:00 (4) 107:5;276:20;277:1, 4 5:11 (1) 292:25 50 (6) 51:1;65:19;190:10; 205:6;209:2;233:21 52 (4) 62:1,4,4,6 525 (1) 41:20 54 (2) 12:18;26:9 55 (2) 46:22;196:25 59 (1) 167:14 59.3.3.2E2C (1)				